

भारत का राजपत्र **The Gazette of India**

प्राधिकार से प्रकाशित
 PUBLISHED BY AUTHORITY

14] नई दिल्ली, शनिवार, मार्च 3, 1971/चैत्र 13, 1893
 14] NEW DELHI, SATURDAY, APRIL 3, 1971/CHAITRA 13, 1893

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खंड 3—उपखंड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय की छोड़कर) भारत सरकार के मंत्रालयों और (संवर्धन क्षेत्र प्रशासन की छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किये गए विभिन्न आदेश और अधिसूचनाएं।

statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 22nd March 1971

S.O. 1428.—Whereas, a vacancy has occurred in the office of the Presiding Officer of the Labour Court at Hyderabad, constituted by notification No. S.O. 156, dated the 5th February, 1963 of the Government of India in the late Ministry of Labour and Employment;

Now, therefore, in exercise of the powers conferred by section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Badruddin Siddiqui as Presiding Officer of the Labour Court constituted as aforesaid.

[No. F. 1/52/70-LR.I.]

S. S. SAHASRANAMAN, Under Secy.

श्रम, रोजगार और पुनर्वासि मंत्रालय

(श्रम और रोजगार विभाग)

नई दिल्ली, 22 मार्च, 1971

का० प्र० 1428.—यतः भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना सं० का० प्र० 456 तारीख 5 फरवरी, 1963 द्वारा गठित हैदराबाद स्थित श्रम न्यायालय के पीठासीन अधिकारी का पद रिक्त हो गया है।

अतः, अब, श्रम शैक्षणिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री बदरुद्दीन सिद्दिकी को पूर्वोक्त रूप में गठित श्रम न्यायालय का पीठासीन अधिकारी नियुक्त करती है।

[सं० का० 1/52/70-एल प्रार I.]

एस० एस० सहस्रनमन, अवसर सचिव।

(Department of Labour and Employment)

New Delhi, the 22nd March 1971

S.O. 1429.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Dhanbad, in the industrial dispute between the employers in relation to the Calcutta Port Commissioners, Calcutta and their workmen, which was received by the Central Government on the 6th March, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 36 of 1968

PARTIES:

Employers in relation to the Calcutta Port Commissioners, Calcutta

AND

Their Workmen

PRESENT:

Shri A. C. Sen, Presiding Officer.

APPEARANCES:

On behalf of the Employers—Shri G. V. Karlekar, Chief Labour Officer.

On behalf of the Calcutta Port and Dock Workers Union—Shri Prasanta Kumar Dutta, General Secretary.

On behalf of the Calcutta Port Shramik Union—Shri Syam Chakravorti, Advocate and Secretary.

On behalf of the National Union of Waterfront Workers—None.

STATE: West Bengal

INDUSTRY: Dock/Port.

Dhanbad, dated the 27th February, 1971

AWARD

An industrial dispute between the parties mentioned above, namely, the employers in relation to the Calcutta Port Commissioners, Calcutta and their workmen was referred to this Tribunal by the Central Government by its Order.

No. 28(108)/67-LR.III dated 20th April, 1968. The nature of the dispute appears from the schedule to the said order, which runs as follows:

SCHEDULE

"Whether the demand of the workmen for the inclusion of certain additional categories of workers in the Incentive Tonnage Scheme is justified? If so, which additional specific categories should be so included; on what basis of performance should incentive allowance be paid to them and what should be the rate of such incentive allowance payments".

2. In order to appreciate the scope of the dispute it is necessary to state certain facts. The cargo handling operations in the Port of Calcutta are done by the workers employed in the Traffic Department of the Commissioners, commonly called shore workers, who are categorised as 'A', 'B' and 'C' category workers. 'A' category workers are permanent employees of the Commissioners. 'B' and 'C' category workers are casual employees. Here we are concerned only with 'A' category workers.

3. 'A' category workers are on a scale of pay of Rs. 70—1—85—EB—2—89 and whenever they are employed on piece-rated work at the Docks-Jetties for handling cargo, they are governed by what is known as the Revised Incentive Piece Rate Scheme 1964.

4. The background of the evolution of the Revised Incentive Piece Rate Scheme, 1964 is as follows:

(a) In March 1957, the Government of India, in the Ministry of Labour constituted a Committee for the purpose of evolving a Piece-rate Scheme for Calcutta Dock Workers on the model of and in the light of the principles contained in the decision of the Labour Appellate Tribunal dated the 1st February 1956 in the Bombay Dock Labour Appeals, subject to such changes as may be deemed necessary. The Piece-Rate Committee made its report to the Government of India in August 1957 and that report was duly considered by the Government after objections had been received to it from Dock Labour. Subsequently in March 1958, the Government of India, Ministry of Labour constituted a Single-Member Committee consisting of Shri F. Jeejeebhoy, Chairman, Labour Appellate Tribunal of India for the purpose of further examining the said report and to make such recommendations to the Central Government as it might consider suitable. This Committee was also authorised subsequently to examine the said report for the shore workers and crane drivers of the Calcutta Port. The Committee submitted its report in August, 1958. The report together with the Appendices constituted the recommendations of the Committee. The Committee evolved Scheme for Piece-rate payments—(i) for Cargo Dock Shore Hook Gangs, Coal Dock Shore gangs and Trimmers; (ii) Datum Scheme for piece-rate payment to cranimen; (iii) for Piece-rate payment to Stevedore gang workers and winchmen; and (iv) for Tally. The Scheme, however, could not be introduced as it was not accepted by Stevedore labour and for various other reasons.

(b) At the relevant time the scheme of payment existing was the one that was introduced in 1948 on the termination of Messrs. Bird and Co.'s contract of labour which incorporated the principles of pay-cum-piece-rates.

(c) With the increase in earnings of labour in the Ports of Bombay and Madras as a result of the introduction of the Piece-Rate Schemes and due to the impediments and objections to the introduction of the Piece-Rate Schemes formulated by the Review Committee to the detriment and loss of workers, the Commissioners' shore labour became restive due to the difference in wages between themselves and their counterparts in Bombay and Madras and more so, because of the commitment regarding introduction of the Piece-rate scheme in Calcutta made by the Government of India, Ministry of Transport and Communications, Department of Transport under Resolution dated 20th July, 1958 on the strike settlement in 1958.

(d) This scheme was adopted by the Commissioners under their Resolution No. 589 dated 22nd May, 1961. This Scheme was to be implemented with effect from 15th June, 1961. But as a result of the initiative taken by the National Union of Port Trust Employees, the Labour Minister, Government of India called a joint meeting at Delhi on 19th June, 1961 to discuss the proposed Scheme. At the request of the Minister of Shipping, the Calcutta Port Shramik Union took agreed to the implementation of the Scheme being postponed. At the meeting presided over by the Labour Minister and attended by the Minister of Shipping and the representatives of the Commissioners and those of the Calcutta Port Shramik Union and the

National Union of Port Trust Employees, the following agreements were arrived at:

- (i) It was agreed that the Incentive Scheme for Calcutta Port Shore Workers should be introduced.
- (ii) For the improvement of the Incentive Tonnage Scheme, the union and the Port Authorities agreed to sit in conference upto a week in Calcutta to effect such suitable changes in the present scheme as may be agreed to. A Labour Ministry representative would preside over the Conference.
- (iii) Whatever was settled would be implemented retrospectively from the 15th June, 1961.
- (iv) In case of disagreement, the matter would be referred to the Labour Minister and the Minister of Shipping for final settlement.
- (e) The parties accordingly met at Calcutta during June/July 1961 under the Chairmanship of the Chief Labour Commissioner. It was then agreed that the Scheme as approved by the Calcutta Port Commissioners would be amended. The amended Scheme known as the Incentive Tonnage Scheme 1961 was implemented with effect from 23rd September, 1961. The Scheme was applicable only to particular categories of the Port employees.

(f) The Government of India, Ministry of Transport and Communication in agreement with the workers unions appointed a Committee in August 1958, known as Classification and Categorisation Committee to undertake the work of classification and categorisation of class III and class IV posts of major ports.

(g) The Classification and Categorisation Committee submitted its unanimous report to the Government in May 1961. It recommended *inter alia* that the Porter (piece-rate) of Calcutta should be fitted in the same scale of pay as the Porter (Departmental), knowing full well that a piece-rate wage cannot be fitted into a monthly time scale. It was encouraged to make the above recommendations by the fact that there had been a practice to utilise a monthly scale for the ascertainment of Provident Fund benefits, leave pay and gratuity of the piece-rates.

(h) In view of the recommendations of the said Committee and also because the review of the Incentive Tonnage Scheme, 1961 became due, the Commissioners for the Port of Calcutta appointed a Committee, composed of the representatives of the Commissioners as well as the representatives of the two unions, namely, Calcutta Port Shramik Union and the National Union of Port Trust Employees with the following terms of reference:

- (i) To consider the question of recasting of tonnage rates of the piece-rated shore workers of cargo Docks and coal Docks in the light of the recent revision of the pay scale of the departmental porters and to make suitable recommendations in this regard.

In making its recommendations the Committee shall take into consideration such consequential changes in the prevailing piece-rate scheme as may be deemed necessary.

- (ii) To review the Tonnage Incentive Scheme in the light of the experience of its working having regard to the proceedings of the Commissioners' meeting dated the 23rd September, 1961 and the Government orders referred to therein.
- (iii) The Committee shall complete its work as expeditiously as possible.

(1) The Committee submitted a unanimous report and evolved a scheme of payment to shore workers and others. The Committee's recommendations were accepted by the Commissioners and the "Revised Incentive Piece-Rate Scheme, 1964" as formulated by the Committee, came into operation with effect from February 1964. The Revised Incentive Piece-Rate Scheme 1964 is applicable only to the following categories of workers:

- (i) 'A' category piece-rated workers of cargo Dock, Coal Docks, Kantapukur and Tea Ware House.
- (ii) Departmental porters and Muster Gang Porters.
- (iii) Coal Dock Trimmings.
- (iv) 'B' category workers.
- (v) 'C' category workers.
- (vi) Crane Drivers operating Shore Cranes, Yard cranes, Roof cranes and cranes of Heavy Lift Yards and subsidiary Heavy Lift Yards together

with their authorised reliefs, when concerned with shipment or non-shipment cargo-handling work.

- (vii) Crane Drivers operating the cranes of K.P.D. Berths No. 19 and 20, Berth and Chute Khalasis of K.P.D. Berths Nos. 19 and 20 together with their authorised reliefs when concerned with the shipment of coal.

5. The Calcutta Port Shramik Union, a party to the Revised Incentive Piece-rate Scheme, 1964, in their charter of demands under their strike notice dated the 9th December, 1964 included the following demand: "The Mobile Crane, Forklift and Tractor Drivers, Lift Drivers, staff attached to the Mechanical Coal Lifting Plant, Cargo Tindals, Serangs, Leading Hands, Crane Tindals and Head Crane Tindals, Crane Drivers of 200-ton Crane and their signalmen and crew of P. C. Lighters be included in the Incentive Tonnage Scheme". A memorandum of settlement dated 28th December 1964 was arrived at with the said union in the following terms:

"It is agreed that the Commissioners will set up a joint Committee to examine whether the categories of workers mentioned in the demand including the Lift Drivers could be included in the Incentive Tonnage Scheme and if so, in what manner. If no settlement is reached within six weeks or such other period as may be mutually agreed upon, the issue will be referred to a Tribunal under section 10(2) of the Industrial Disputes Act, 1947".

6. Accordingly a joint Committee consisting of the representatives of the Calcutta Port Shramik Union and the National Union of Port Trust Employees and the Commissioners was appointed in January, 1965. The duty of the joint Committee was to examine whether the following categories of workers could be included in the Incentive Tonnage Scheme, 1964:

- (1) Mobile Crane Drivers, (2) Forklift Drivers, (3) Tractor Drivers, (4) Lift Drivers, (5) Staff attached to the Mechanical Loading Plant, (6) Cargo Tindals, Serangs, Leading Hands, (7) Crane Tindals, Head Crane Tindals, (8) Crane Drivers of 200 Ton Crane and the Signalman, (9) Crews of the P. C. Lighters.

7. The Committee began its sittings with effect from 22nd January, 1965. The Committee met on a number of occasions and final meetings of the committee were held on 23rd August, 1966 and 26th August, 1966. The representatives of both the unions, namely, The Calcutta Port Shramik Union and the National Union of Port Trust Employees submitted their opinions in writing on June 29, 1966 and on April 17, 1965 respectively. The opinion of the representatives of the Administration too was submitted in writing.

8. During the course of discussions on 26th August, 1966, the representatives of the Calcutta Port Shramik Union orally submitted that the nature of the duties performed by the categories in question excepting the staff attached to the Mechanical Coal Loading Plant (18th Berth) and that of the categories already included in the Revised Incentive Piece-Rate Scheme 1964, being the same, all the categories under consideration by the committee should be included in the Revised Incentive Piece-Rate Scheme 1964. The representative of the National Union of Port Trust Employees too supported the view of the other union.

9. The views of the representatives of the Commissioners for the Port of Calcutta were submitted in writing on the 26th August, 1966. They pointed out that the Incentive Tonnage Scheme of 1961 was introduced after it had been fully discussed at all levels by the representatives of the Port Administration and the representatives of the two recognised unions, that the categories of workers to be included in the Incentive Tonnage Scheme were also determined at that time and that specified categories were taken into consideration for the purpose of the said Scheme. They further pointed out that the 1961 Scheme was reviewed as agreed upon, by a committee consisting of the representatives of the Administration and those of the two recognised unions. They were opposed to the inclusion of the additional categories under consideration in the Revised Incentive Piece-Rate Scheme, 1964 as in their opinion based on the experience of the working of the 1964 Scheme, the incentive remuneration of the proposed categories would have no co-relation with the out-put. They thought that the non-inclusion of these additional categories in the Scheme of 1964 could not be regarded as discriminatory because the determination of the categories brought into the Revised Incentive Piece-Rate Scheme 1964 was made jointly by the representatives of the Administration and the two recognised unions. They were definitely of opinion that if all or any of the categories under consideration were at all to be brought into the Scheme of 1964 or any other scheme, the whole matter would have to be discussed de-novo and that a fresh incentive

scheme would have to be formulated ensuring that remuneration to all the categories of workers to be brought within the Scheme was directly linked with their output.

10. As the representatives of the Administration would not agree to the suggestions made by the representatives of both the unions no settlement was arrived at. The dispute has now been referred to this Tribunal by the Central Government under section 10(1) of the Industrial Disputes Act. It may be noted that the dispute has not been referred under sec.10(2) of the Act, even though there was an agreement to that effect between the parties in the memorandum of settlement dated 28th December, 1964.

11. The Government of India, in the Ministry of Labour and Employment constituted the Central Wage Board for Port and Dock Workers at Major Ports, by their Resolution No. WB-21(4)/64, dated the 13th November, 1964. The Wage Board finalised all its recommendations in October, 1969 and the report was signed by the Chairman and the members of the Board on 29th November, 1969.

12. My predecessor-in-office, Sri K. Sahai, by his order dated 18th September, 1969 passed at Calcutta adjourned sine die the final hearing of the case, as it appeared to him that the entire question relating to Port and Dock workers had been referred to the Wage Board for laying down pay scale etc., and as it was represented to him that the Wage Board was by that time almost coming to the end of its labours. The parties too felt that this reference might not be finally decided at that stage and that the final hearing might be adjourned sine die. The concluding portion of the order passed on 18th September, 1969 runs as follows: "Shri Prasanta Kumar Dutta (General Secretary, Calcutta Port and Dock Workers Union), however, says that before the reference is adjourned, it may be recorded that the employers agree to the inclusion of five categories of workmen in incentive piece-rate scheme that may be operative in the port on the shore side after the finalisation of the report of the Wage Board. These categories are (1) Mobile Crane Drivers, (2) Fork Lift Drivers, (3) Tractor Drivers, (4) Pay Loader operator and (5) Diesel Loco Driver (Two Car Drivers) at King George's Dock. Sree Karlekar (Chief Labour Officer) agrees that this may be recorded as having been agreed to by the employers. Let it be accordingly recorded. The case is now adjourned sine die".

13. The first question for determination is whether the demand of the workmen for the inclusion of certain additional categories of workers in the Incentive Tonnage Scheme is justified. Having regard to the genesis of the present dispute, there cannot be any manner of doubt that the 'Incentive Tonnage Scheme' in the present reference means the "Revised Incentive Piece-Rate Scheme, 1964", which replaced the Incentive Tonnage Scheme, 1961 and the expression "certain additional categories" relate to the categories mentioned in the charter of demands submitted by the Calcutta Port Shramik Union along with their strike notice dated the 9th December, 1964 and considered by the joint committee appointed in January, 1965. that is to say, the categories mentioned in para 6 above.

14. Para 35 of the Revised Incentive Piece-Rate Scheme, 1934 provides for payment of incentive allowance to crane Drivers and their reliefs subject to certain conditions. The provision of the said paragraph is as follows: "Crane Drivers together with their authorised reliefs when they operate for a shift or any part of a shift:

- (a) Shore Cranes.
- (b) Yard Cranes.
- (c) Roof Cranes, and
- (d) Crane at Heavy Lift Yards and Subsidiary Heavy Lift Yards shall be entitled to an incentive allowance of Re. 1/- per shift provided no adverse reports are received against their work, whenever their cranes are employed for:
 - (1) Loading/Unloading cargo from/into vessels.
 - (2) Loading/Unloading cargo from/into Lighters.
 - (3) Loading/Unloading cargo from/into wagons, carts and lorries and (4) Shifting or re-stacking of cargo."

It was argued on behalf of the Calcutta Port Shramik Union that as the Mobile Crane Drivers, Fork Lift Drivers, Crane Drivers of 200 Ton Cranes and the Signalmen were also required to carry the (i) loading/unloading cargo from/into vessels, (ii) loading/unloading cargo from/into lighters, (iii) loading/unloading cargo from/into wagons, carts and lorries and (iv) for shifting or restacking of cargo, these categories of workers should also be included in the Incentive Piece-Rate Scheme. The

representatives of the Administration did not refute the facts on which the said argument was based, they simply made a bare statement to the following effect: "We are definitely of the opinion that all or any of the marginally noted categories of workers cannot be brought within the purview of the Revised Incentive Piece-Rate Scheme, 1964 as their incentive remuneration will not have any co-relation with the output." They did not offer any reason in support of their opinion, nor did they say that the nature of work performed by the Mobile Crane Drivers, Fork Lift Drivers, Crane Drivers of 200 Ton Cranes and the Signalmen was not similar to the work performed by the Crane Drivers mentioned in para 35 of the Scheme of 1964.

15. It has been provided in part IV, paragraph 33 of the Revised Incentive Piece-Rate Scheme, 1964 that the Trimming Foreman will be entitled to an incentive allowance of Re. 1/- per shift provided no adverse report is received against their work. It was pointed out by the representative of the Calcutta Port Shramik Union at the sittings of the joint committee that the duty of the Trimming Foreman is to supervise the work of the Trimming Porters, Mates and Sirdars on board the vessels. He contended that when the Crane Tindals and Head Crane Tindals, supervise the work of the crane Drivers it was only fair and just that they should also be included within the purview of the existing Revised Incentive Piece-Rate Scheme. Similarly, he further contended, as the cargo Serangs/Tindals and Leading Hands, who supervise the works of the 'A', 'B', 'C' and Departmental labour, play a very important role in the matter of quicker turn round of ships and loading and unloading of wagons, they should also be included in the Incentive Tonnage Scheme.

No attempt was made by the Port Administration to meet this contention on behalf of the Calcutta Port Shramik Union, nor did they say that the work performed by the Crane Tindals and Head Crane Tindals was not similar to work performed by the Trimming Foreman.

16. In the Incentive Piece-Rate Scheme of 1964 it has been provided that the Departmental Porters and Muster gang porters when employed (a) at Heavy Lift Yards and subsidiary Heavy Lift Yards, (b) at Shed Yards for handling Heavy Lift and/or yard cargo and/or work connected with such handling (i.e. bedding, lashing, dunnaging etc.) and (c) for operational cargo handling work at places other than Heavy Lift Yards, subsidiary Heavy Lift Yards and shed yards shall be entitled to an incentive allowance of Re. 1/-. It was contended on behalf of the Calcutta Port Shramik Union that as the crews of the Port Commissioner Lighters also work at the Heavy Lift Yards and also carry on the handling work of Heavy Lift packages inside the P. C. Lighters in a manner as it is handled on shore by the Departmental porters, the crews of the P. C. Lighters should also be included in the Incentive Piece-Rate Scheme. This contention too was not met by the Port Administration, nor did they deny that the crews of the P. C. Lighters are required to do work similar to the work done by the Departmental Porters and Muster gang porters for which they are paid incentive allowance.

17. It was also pointed out by the Calcutta Port Shramik Union that all the members of the Committee were of the unanimous opinion about the inclusion of the staff attached to the Mechanical Coal Loading Plant; and this was not denied on behalf of the Port Administration.

18. For further details as to the matters stated in paras 14 to 17 above reference may be made to Ext. M5. It is clear that the workers made out a clear case for the inclusion of additional categories of workers in the Incentive Tonnage or Piece-Rate Scheme of 1964. The Administration refused to accede to the demand of the workers on two grounds: (1) that the incentive remuneration of the additional categories would not have any co-relation with the output; (2) that if additional categories were to be brought into the existing incentive scheme of 1964, it would be necessary to formulate a fresh incentive scheme ensuring that remuneration to all the categories of workers to be brought within the new Scheme was directly linked with their output. These two grounds for opposing the demand of the workers for the inclusion of additional categories do not appear to be very convincing. As to the first ground, nothing has been said as to why the incentive remuneration of the proposed additional categories will have no co-relation with the output. The only thing to be seen is whether output is likely to increase if incentive allowance is given to the additional categories. The Administration did not say that output was not likely to increase as a result of the inclusion of the additional categories. In my opinion, output is likely to increase if incentive allowance is given to the proposed additional categories or at least to some of them. I shall presently discuss whether all or some of the proposed categories are to be included in the Incentive Piece-Rate Scheme of 1964.

As to the second ground, the Administration practically concede that the proposed additional categories can be brought within the purview of a comprehensive

Incentive Piece-Rate Scheme. It is needless to point out that in the case of supervisory staff it is not always possible to link the remuneration directly with their cut put; some rule of the thumb becomes necessary. But that is no reason for not giving incentive allowance to them.

19. As stated above in para 12, the employers through their Chief Labour Officer, Sri Karlekar, agreed to the inclusion of five categories of workmen in the incentive piece-rate scheme that might be operative in the port on the shore side after the finalisation of the report of the Wage Board. The employers would not have made that concession unless they felt that these five categories mentioned in para 12 were capable of being included in the existing Incentive Piece-Rate Scheme of 1964. As stated in para 11, the Wage Board finalised all its recommendations in October, 1969. I shall presently show that the Wage Board has recommended the inclusion of seven additional categories in the Incentive Piece-Rate Scheme, 1964. Mr. Karlekar on behalf of the Administration has reiterated before me the views expressed by the representatives of the Commissioners for the Port of Calcutta in the Committee appointed in January 1965. I have already given my reason for not accepting those views. Therefore, in spite of Mr. Karlekar's submissions before me I have not the slightest doubt in my mind that the demand of the workers for the inclusion of additional categories in the Incentive Tonnage Scheme or for the matter of that, in the Revised Incentive Piece-Rate Scheme, 1964 is fully justified.

20. The next question to be considered is which additional specific categories should be included in the Revised Incentive Piece-Rate Scheme 1964. The Central Wage Board for Port and Dock Workers at Major Ports thinks that the following additional categories of workmen should be included in the Revised Incentive Piece-rate Scheme, 1964:

- (a) Mobile Crane Drivers.
- (b) Tractor Drivers.
- (c) Forklift drivers.
- (d) Pay loader drivers at 5 King George's Dock.
- (e) Diesel loco drivers (low car drivers) at 5 K.G.D.
- (f) Cargo tindels/serangs and leading hands (except on the days on which they are engaged to work connected with non-operational work).
- (g) Crane tindels and signalmen of 200 ton cranes at 5 K.G.D.

21. The Calcutta Port and Dock Workers' Union in its written statement has asked for the inclusion of thirteen additional categories of workmen including the categories mentioned in para 20. The seven categories mentioned in para 20 include the five categories, that the employers agreed to include when the hearing of the case was adjourned sine die on 18th September, 1969. In my opinion the seven categories mentioned in para 20 should in any case be included in the Revised Incentive Piece-Rate Scheme, 1964.

22. Mr. Dutta, appearing on behalf of the Calcutta Port and Dock Workers' Union, pressed for the inclusion of the following categories also:

- (i) Sorters.
- (ii) Supercargoes.
- (iii) Mobile Crane Khalasis.
- (iv) Truck Drivers.
- (v) Mobile Crane Tindels.
- (vi) Shed Clerks.
- (vii) Tally Supervisor.

These additional categories have not been included by the Central Wage Board for Port and Dock Workers at Major Ports. At the time of the hearing Mr. Dutta submitted a statement showing the duties performed by these categories. Mr. Karlekar did not raise any objection as to the contents of the statement; rather, he accepted them as correct. The statement was marked as Ext. W1 by consent.

23. I propose to consider the respective duties of the additional categories mentioned in para 22 as stated in Ext. W1 to see which of them can be brought within the purview of the incentive scheme. I start with the sorter. His duty is to work in conjunction with the Shed checkers for the correct shipment of export cargo to point out lots of ready cargo to labour for shipment as and when cargo is called for by the ship and to refer to the shipping list for the purpose to check and mark detained lots of cargo not ready for shipment so that they may not be removed by labour and shipped wrongly on board to make due remarks on shipping

list as soon as each lot is shipped and to deposit the lists in proper place for guidance of his relief in the next shift. He himself does not handle the cargo, nor does he supervise those who actually handle the cargo. Slackness on his part will amount to a dereliction of duty. He certainly cannot claim incentive bonus in order to induce him to perform his duties properly. In my opinion sorters cannot be included in the incentive scheme, having regard to the duties that they perform at present.

24. A supercargo is required to perform various duties. He takes muster of labour and checks the attendance of other staff under him and distributes them according to requirements and supervises their works. He is to go on board vessels to ascertain the hatch position for correct distribution of labour. He checks the loading, unloading and stacking operations and is responsible to ensure that labour handle cargo carefully. He sees that work starts in time and goes on smoothly and that there is no early stoppage of work. He has other duties to perform which are not very material for our purpose. His function is supervisory in nature and his co-operation appears to be vital to the maximisation of output. Hence, in my opinion, Supercargo should be included in the Revised Incentive Piece-Rate Scheme, 1964.

25. The Mobile crane khalasis mostly perform unskilled work. Their duty is to do manual work such as carrying, loading, lifting, cleaning, handling etc., of all types of materials, tools, equipments etc., and to do all other unskilled work. They do not load or unload cargo, nor do they supervise the workers engaged in loading and unloading. In my opinion, they cannot claim to be included in the incentive scheme.

26. The truck drivers too cannot claim to be included in the incentive scheme. From Ext. W1 it is difficult to get any idea as to the actual duties of a truck driver under the heading "Duties of the Truck Driver". Ext. W1 merely enumerates the qualifications of a truck driver. No case has been made out for his inclusion in the incentive scheme.

27. A mobile crane tindel is responsible for operational work of all mobile cranes and mobile equipments, like fork lifts, tractors etc. Slackness on his part may impede the progress of mobile crane drivers, tractor drivers and fork lift drivers. An incentive allowance is likely to make him alert. Hence I think that mobile crane tindleis should be included in the incentive scheme, especially when the Central Wage Board for Port and Dock Workers has recommended the inclusion of crane tindels of 200 ton cranes in the Scheme.

28. Duties of the Sheds Clerks, as given in Ext. W1, are of a routine nature. They do not supervise the workmen engaged in actual loading and unloading. Hence they too cannot claim to be included in the incentive scheme. They are to be excluded for the same reason for which the sorters are to be excluded.

29. As to the tally supervisors, the duties, which according to Ext. W1, they are required to perform do not entitle them to be included in the incentive scheme.

30. Hence, my conclusion is, that out of the seven categories mentioned in Ext. W1, only the two categories, namely, super-cargoes and mobile crane tindels can claim to be included in the incentive scheme. Mr. Syam Chakravorty on behalf of the Calcutta Port Shramik Union contended that the Incentive Scheme should be extended to the 200 ton Crane Drivers. There is nothing on record to indicate the nature of their work. Moreover, they appear to hold a responsible position which does not call for incentive allowance. I, therefore, think that they are not entitled to incentive allowance.

31. As to the basis of performance on which incentive allowance is to be paid is that no adverse report is received against the additional categories suggested by me.

32. As to the rate of such incentive allowance, all the additional categories to be included in the Scheme of 1964 will be paid incentive allowance at Re. 1/- per shift. But this shall not preclude them from claiming any additional benefit to which they may be entitled as per recommendations made by the Central Wage Board for Port and Dock Workers at major ports if and when such recommendations are implemented by the Commissioners for the Port of Calcutta.

33. The incentive rate of Re. 1/- per shift will be payable from 20th April, 1968, that is to say from the date when the dispute was referred to this Tribunal. According to the workmen, the incentive allowance should be paid with retrospective effect from 10th February, 1964. Their case is that they have been agitating for the inclusion of additional categories since the implementation of the Revised Incentive Piece-rate Scheme, 1964, that is to say, since 10th February, 1964; hence

the categories to be included under this award should get incentive allowance from that date. But factually the position is some what different. Two unions, namely, the Calcutta Port Shramik Union and the National Union of Port Trust Employees were parties to the Incentive Scheme of 1964. Their members in the categories to be included certainly cannot claim incentive allowance from 10th February, 1964. It transpires from Ext. W2 that the Calcutta Port and Dock Workers Union, which is at present claiming incentive allowance for the categories to be added from 10th February, 1964, raised the dispute in their letter No. PDU/63/66 dated 28th May, 1966 to the Regional Labour Commissioner, Calcutta. There is nothing on record to show that this union raised this dispute earlier. Its members led a mass deputation to the C.M.E., Calcutta Port Commissioners on 27th May, 1967 and submitted a memorandum. That being the position, even the members of this union belonging to the categories to be added cannot claim incentive allowance from 10th February, 1964. Again, to give retrospective effect may result in re-opening of closed accounts; and may also impose additional financial liability on the Port Administration. My recommendation is in a way retrospective, though not to the extent desired by the workers, because I have said that the incentive allowance will be payable from 20th April, 1968. I have tried to minimise the scope for the reopening of closed accounts and the imposition of additional financial burden on the Port Administration.

34. I accordingly give the following award. The following categories of workers are to be included in the Revised Incentive Piece-Rate Scheme, 1964:—

- (a) Mobile Crane Drivers.
- (b) Tractor Drivers.
- (c) Forklift Drivers.
- (d) Payloader Drivers at 5 King George's Dock.
- (e) Diesel Loco Drivers (Tow Car Drivers) at 5 K.G.D.
- (f) Cargo Tindels/Serangs and Leading Hands (except on the days on which they are engaged to work connected with non-operation work).
- (g) Crane Tindels and Signalmen of 200 Ton Cranes at 5 K.G.D.
- (h) Supercargos.
- (i) Mobile Crane Tindels.

These additional categories (a) to (i) will be paid incentive allowance at Re. 1/- per shift, provided no adverse report is received against them. But this shall not preclude them from claiming any additional benefit to which they may be entitled as per recommendations made by the Central Wage Board for Port and Dock Workers at Major Ports if and when such recommendations are implemented by the Port Administration. The incentive rate of Re. 1/- per shift will be payable from 20th April, 1968. As the success is divided between the parties they shall bear their respective costs.

35. This is my award. Let a copy of the award be submitted to the Central Government under section 13 of the Industrial Disputes Act, 1947.

(Sd.) A. C. SEN,
Presiding Officer.

[No. 28/108/67-LR.III/P&D.]

S.O. 1430.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of Shri L. P. Dave, Arbitrator, in the industrial dispute between the employers in relation to the management of the Calcutta Port Commissioners, Calcutta and their workmen, which was received by the Central Government on the 4th March, 1971.

BEFORE SHRI L. P. DAVE, ARBITRATOR

In the matter of reference under section 10A of the Industrial Disputes Act, 1947, in respect of an industrial dispute between employers in relation to the Calcutta Port Trust Commissioners, Calcutta, and their workmen represented by the Calcutta Port Shramik Union, Calcutta.

APPEARANCES:

On behalf of Employers—Shri G. V. Karlekar, Labour Adviser and Industrial Relations Officer, Calcutta Port Commissioners, Calcutta.

On behalf of Workmen—Shri Makhan Chatterji, General Secretary, Port Shramik Union, Calcutta.

AWARD

As an industrial dispute existed between the above parties, they entered into an agreement under sub-section (1) of section 10A of the Industrial Disputes Act, agreeing to refer the said dispute to my arbitration and forwarded a copy of the said agreement to the Central Government as required by sub-section (3) of the above section. The Central Government published it in the official gazette under the said sub-section.

2. The specific matters in dispute referred to me were as under:

Whether there is any anomaly in the pay structure of Trimming porters, trimming mates, Trimming Sirdars and trimming foremen as evolved by the Central Wage Board for Port and Dock Workers?

If so, how should it be removed and from what date?

3. In response to the notices issued by me, the parties filed their Written Statements. The matter was then fixed for hearing and was heard from 3rd February to 5th February 1971. At the hearing, neither party led oral evidence; but both parties filed some documents. Arguments were then heard and I now proceed to give my Award in the matter.

4. The present dispute relates to the pay structure of trimming porters, trimming mates, trimming Sirdars and trimming foremen working in the port of Calcutta. These workers are employed in operation which is known as trimming of coal. Calcutta Port deals with a large amount of coal cargo. This port being nearest to the coal producing areas of Jharia and Raniganj coal fields, coal is sent out from Calcutta by ships. Coal has to be loaded in holds of ships which work is done mainly by mechanical process. The coal is dumped or emptied in the holds. This, however, does not complete the operation, because the coal dumped or thrown in the holds forms a heap; it has then to be trimmed with the aid of shovels, so that it is distributed evenly inside the holds. If this is not done, large portions of holds would remain empty. Again when the ship moves in the sea, unless the coal is properly distributed and trimmed, it may by force of gravity move from one side to other making it dangerous to the ship as the weight would then be shifted from one side to the other. The workers who carry out the operation are known as trimmers. There are other categories of mates, Sirdars and foremen who look after the trimming work.

5. It may be noted at the outset that as trimming work is done inside the ship, it is really speaking stevedoring work. A "stevedore" is defined in the dictionary of Nautical words and terms by C. W. T. Layton as a man who stows or unloads cargo in a hold, stowing defined as packing compactly and safely. Trimming is defined as adjusting and applied to cargo, it denotes placing it in its proper position and, if necessary, winging it out. Applied to a vessel, it denotes placing and arranging cargo, so that there is a desired—relationship between the forward and after drougths.

6. It may also be noted that in the case of iron ore loading, the work is done in similar manner. In both cases, trimming is required to be done. The workers engaged in iron ore loading are stevedores workers. Coal trimmers are, in effect, doing the same work as iron ore workers and the work is really speaking stevedoring work.

7. In this connection, I may refer to clause (ii) of para 3.80 of the report of the Central Wage Board for the Port and Dock workers where stevedoring and other services are defined. It is mentioned there that coal stevedoring work is done at Calcutta by the port authorities.

8. As this work is stevedoring work, it should ordinarily be done by stevedore labour. Due to historical grounds, however, this work is done in Calcutta Port, not by stevedore labour, but by workers employed by the Calcutta Port.

9. Prior to 1st April, 1948, the coal trimming work was carried out by the port commissioners through a contractor. The Commissioners decided to discontinue the work of trimming coal from 1st April, 1948 as it was not part of their statutory responsibility and terminated the contract. Thereupon the steamer agents and shippers appointed another contractor to undertake this work. A sub-committee was appointed to consider the question of coal trimming in general and to ascertain if it was possible to form a coal trimming board. The subcommittee found this to be unpracticable. The standard of work done by new contractor was also found to be not satisfactory. The sub-committee felt that no contractor would be able to discharge this work satisfactorily and it thereupon requested the Commissioners to undertake the trimming work, although it was not their

statutory obligation. By a resolution dated 18th September, 1950, the Commissioners decided to take over the work from 1st January, 1951. The persons then working with the contractors were taken over by the Commissioners and it was decided that their remuneration should not be adversely affected. It was also decided that trimming porters and trimming mates should get a trimming pay of Rs. 5/- per month and that the trimming Sirdars should get a similar pay of Rs. 7.80 per month and that this trimming pay should be considered to be pay for all purposes.

10. The above facts are admitted by both the sides and are also clear from the copies of minutes of different meetings held in this connection and produced by the employers as annexures (2) to (6) to their rejoinder.

11. The workmen's case is that trimming work is hazardous and strenuous and that it has to be done in difficult conditions. It is further contended that they are entitled to higher remuneration than shore workers and that is why the trimming pay was given to them. It was further urged that the total emoluments or trimmers were always higher than the total emoluments of shore workers, but now they are lower and that is an anomaly which should be corrected by awarding them a higher trimming pay.

12. There can be no doubt that the work of the trimmers is both hazardous and strenuous. This was recognized by the Chairman of the Coal Port Commissioners as early as 1951 as can be seen from annexure (6) to the rejoinder of employers. The Central Government Industrial Tribunal, Calcutta, has also, in its award in reference No. 28 of 1965 accepted this position and has held that the coal trimmer's work is strenuous and hazardous and that he has to work in difficult working conditions. The Central Wage Board for Port and Dock workers has observed that for various reasons including the nature and place of the work, the dock workers have been getting higher wages than the shore workers (see page 7.292 of the report). It also unanimously decided that even in future a suitable differential between the wages of cargo handling workers on shore and those on board the ship should be maintained.

13. (a) So far as basic pay is concerned, the basic pay of a shore worker and the basic pay of a coal trimmer has all along remained the same. When the trimmers employed by the contractor were taken over by the Port Commissioners as their workers, they were placed in the scale of 30—1—35, though, to protect the emoluments of the existing workers, their basic pay was fixed at Rs. 35/-. The basic pay of shore workers then was Rs. 30/-.

(b) From 1st October, 1957, the scales fixed by the classification and categorisation Committee (known as CCC scales) were introduced. Both the trimmers and shore workers were then put in the scale of 30—1—40.

(c) The C.C.C. scales were converted into new scales based on the recommendations of the Second Pay Commission (S.P.C. equivalents of C.C.C. scales). Thereunder, both shore workers and coal trimmers were brought on the new scales of 70—1—85—EB—2—89 from 1st July, 1959.

(d) The Central Wage Board has prescribed the scale of 104—2—116—3—131—EB—3—140 for both shore workers and coal trimmers.

14. Thus, the basic wages of both categories have all along been the same, but the coal trimmers have been getting a trimming pay of Rs. 5/- p.m. As this is considered pay for all purposes, it is taken into account for determining City compensatory allowance, house rent allowance etc., and the trimmers, therefore, get a higher allowance in some cases than shore workers on an identical basic pay. For instance, when the basic pay was Rs. 70/-, the shore worker got a house rent allowance of Rs. 10/- while a trimmer got Rs 15/- (as for purposes of this allowance, his pay was considered to be Rs. 75/- including trimming pay).

15. The coal trimmers were thus getting higher emoluments than the shore workers because of the trimming pay. The position, however, underwent a change after the introduction of the Incentive Tonnage Scheme for shore workers in the Calcutta Port in 1961 which was replaced in 1964, by a new scheme called 'The revised Incentive Piece-rate Scheme, 1964'.

16. When the incentive tonnage scheme was introduced from 1st November, 1961, the basic pay of the shore workers remained the same. But they were entitled, under Para 10 of the scheme, to get Rs. 4/- on each of their Roster-off days which amount included the daily element of the Dearness Allowance and additional allowance etc. Under Para 16 of the Revised Incentive Piece-rate

Scheme 1964, the shore workers were entitled to get Rs. 2.40 on their Roster-off days.

17. The Wage Board, in Paras 7.5.6 to 7.5.8 of its Report, unanimously recommended modification of the Revised Piece-rate Incentive Scheme, 1964, in Calcutta Port on the lines indicated in Para 7.5.7. In clause (v) of this Para, it recommended a payment of Rs. 5.94 for the weekly day of rest.

18. The workmens' contention is that the coal trimmers are now getting less emoluments than the shore-workers, when they should get more. In support of this, they have, in Para 15 of their Written Statement, given the total emoluments earned by the Coal Trimmers and the shore workers at different times. In doing so, however, they have taken the maximum of the trimming porters' scale in the table relating to September 1957. In the tables relating to the 1st October, 1957 and 1st July, 1959, they have taken a middle step of the scale of trimming porters whereas in all these cases, they have taken the minimum of the scale of shore workers. I agree that this would not be a proper comparison. It is true that the trimming porters were getting higher pay in 1957 but that is because their emoluments which they were getting under the contractor were to be—protected. The correct comparison would be to take emoluments of a fresh coal trimmer and a fresh worker. Both of them would start at the minimum of their scale.

19. The Calcutta Port Commissioners have, at the hearing before me, produced a statement showing the total emoluments at the minimum and at the maximum of the pay scales, both of coal trimmers and shore workers at different times. As mentioned above, the basic pay of both categories was the same both at the minimum and maximum of the scales. The differences in the total emoluments are a result of the trimming pay to trimmers and payment for Roster-off days to shore workers.

20. The following were the total emoluments at different times at the minimum of the scale:

	Coal Trimmers	Shore Workers.
Before 1-10-1957	97' 50	92' 50
From 1-10-1957 (C.C.C. Scale)	97' 50	92' 50
From 1-7-1959 (S.P.C. Scale).	121' 30	115' 80
From 1-11-1961 (Incentive Scheme)	112' 50	112' 10
From 1-11-1964	125' 50	125' 10
From 1-1-1969 (Wzge Board Scales)	211' 90	230' 16

21. The total emoluments at the maximum of the scales are as under:

	Coal Trimmers	Shore Workers]
Before 1-10-1957	102' 50	97' 50
From 1-10-57 (C.C.C. Scale)	103' 50	98' 50
From 1-11-1961 (Incentive Scheme)	133' 40	137' 50
From 1-11-1964	146' 40	150' 50
From 1-1-1969 (Wage Board Scales)	231' 70	299' 6

22. The contention of the union is that it is a clear anomaly that whereas a trimmer should get more than a shore worker, he is getting less. It may be noted here that the actual earning of a shore worker would be more than mentioned above because of the incentive scheme. But those earning cannot be taken into account for comparison, because they are higher earnings due to higher output of work. But even if we take only the fall back wage of a shore worker into account and assume that throughout a month, he reports for duty and gets no work on any day and earns only the fall back wages throughout the month, his total emoluments would be as shown above.

23. It was argued on behalf of the Port Commissioners that the Wage Board recommended identical scales both for trimmers and shore workers, in spite of the fact that it recommended an increase in the payment for the weekly Roster-off for the shore workers and, therefore, it must be assumed that Wage Board must have been satisfied that the shore workers were entitled to higher total emoluments. It was further argued that the labour members of the Wage Board agreed to this and did not consider the payment of Roster-off to the shore workers as an anomaly.

24. It may be noted, however, that the Wage Board took the wage structure as it stood at the time of its deliberations. Paras 7-2-35 and 7-2-36 of the Wage Board are important in this connection. So also are Paras 7.2.8 and 7.2.9. They show that the Wage Board, in evolving the new wage structure, decided to take the CCC scales as a guide and evolved new scales on the basis of SPC equivalents thereof. The labour members wanted the Board to go into the nature of duties of each post before fixing pay scales, but this was not practicable. Labour representatives were of the view that there were anomalies in the recommendations made by the CC Committee, and they were asked to bring such cases before the Board for consideration. The lists of such cases were submitted to the Board from time to time, but even the earliest list was submitted at a very late stage. For want of time, therefore, the Board could not go into the merits of these cases. When the new scales were evolved on the basis of CCC scales, the understanding in the Board was that labour members would be free to raise questions of anomalies arising from the Board's decisions in respect of the categories, whose new pay scales were not found to be adequate in keeping with the duties and responsibilities of the posts or if some other hardship was likely to be caused, but the Board could not go into the cases of anomalies raised by labour for want of time.

25. As the Wage Board evolved a new pay structure of the different categories of the workers on the basis of SPC equivalents of CCC scales, it could not be said that it considered that the shore workers were entitled to higher emoluments than coal trimmers. Actually the Wage Board prescribed identical pay scales both for coal trimmers and shore workers because the scales existing at the time were identical. The Wage Board has also observed that dock workers were entitled to higher wages than shore workers.

26. I may repeat that the anomaly of a shore worker getting higher total emoluments than a coal trimmer arose as a result of payment to the shore worker for the weekly Roster-off days introduced by the Incentive Schemes. They create an anomaly because though a trimmer's work is harder and more strenuous and though it has all along been recognized that he should get more than a shore worker, his total emoluments came to less than those of shore workers as a result of the payment for weekly Roster-off days.

27. After the Government received the report of the Wage Board, it passed a resolution No. WB-21(7)/69 dated 28th March, 1970, accepting the unanimous and the majority recommendations of the Wage Board subject to five clauses mentioned in para 4 of the Government resolution. Clause (iv) reads as under:

"(iv) Any existing anomalies regarding the pay scales of employees of various ports and also such other anomalies/difficulties that may arise in the course of implementation of the new wage structure evolved by the Wage Board will, in the first instance, be discussed informally between the parties and settled at the port level. The Government will consider the question of setting up suitable bipartite or tripartite machinery for dealing with any issues that remain unresolved."

28. The present dispute is a dispute for correcting the anomaly in the pay structure of the trimmers. The matter appears to have been discussed between the parties, but could not be settled. That is why they appear to have referred it to me for arbitration.

29. Before the introduction of the Incentive Scheme in 1961, the trimmers were getting Rs. 5/- more than the shore workers. With the introduction of payment for weekly Roster-off days in the Incentive Scheme, the emoluments of the shore workers increased. Even then, at the minimum of the scale, coal trimmers were getting slightly more (Rs. 0.40) than the shore workers; while at the maximum of the scale, the shore workers got Rs. 4.10 more than the coal trimmers (Probably none had reached the maximum of the scale at the time). When, however, the Wage Board recommended revision of the Incentive Scheme and therein it also recommended increase in the pay for the weekly Roster-off, the result was that the shore worker would get about Rs. 18/- more than the coal trimmer.

30. I might repeat that there can be no doubt that the work of a coal trimmer is more strenuous and more hazardous and he has to work in more difficult conditions. Because of this, the Chairman of Calcutta Port Commissioners had as long ago as 1951 recommended a trimming pay of Rs. 5/-. The Industrial Tribunal also accepted this and awarded that the trimmer should get Rs. 5/- p.m. (in addition to dust allowance). The Wage Board also recognised that the dock workers have been, for various reasons including the nature and place of work, getting higher wages than the shore workers. The Board also decided unanimously that even in future a suitable differential between the cargo handling workers on shore and those on board the ship should be maintained (See para 7.2.92 of the Wage Board Report). I am satisfied that there is an anomaly in the pay structure in that the coal trimmers get less than shore workers, when they should get more.

31. Before proceeding further, I may mention that the matter referred to me is whether there is any anomaly in the pay structure of these workers as evolved by the Central Wage Board for the Port and Dock workers. It is true that the anomaly has not come into existence as a result of the wage board recommendations. The anomaly was already there and the recommendations of the Wage Board continued the anomaly or rather increased it. The terms of reference do not mention that the anomaly should have been created by the Wage Board. They only mention whether there is an anomaly in the pay structure as evolved by the Wage Board and there can be no doubt that there is an anomaly.

32. The next question is as to how the anomaly should be removed and from what date. The anomaly can be removed by prescribing a higher pay scale for the trimmers or by increasing their trimming pay. If the pay scales were revised, it would create complications and might raise further anomalies. Shri Makhan Chatterji who appeared for workers fairly conceded that this would not be proper and that the basic pay fixed for the trimmers should not be disturbed. The only way, therefore, to remove the anomaly and to see that the trimmers get more (and not less) than the shore workers is to increase the trimming pay.

33. The workers have, in their Written Statement, demanded that the trimming pay of Rs. 5/- p.m., and Rs. 7.50 p.m., for different categories should be increased to Rs. 30/- and Rs. 37.50 p.m., respectively.

34. The shore workers now get Rs. 5.94 for each weekly Roster-off. The Calcutta Port Commissioners have calculated this as Rs. 23.76 per month, but this would not be strictly accurate. There are 52 weeks in a year and the total payment for the Roster-off for the year would come to Rs. 308.88, which would work out to Rs. 25.74 per month.

35. On the other hand, it has also to be borne in mind that the trimming pay is considered to be pay for all purposes. The Wage Board has fixed compensatory allowance at the rate of 10 per cent of pay and house rent allowance at the rate of 16 per cent of pay. The trimmers would get compensatory allowance and house rent allowance on the amount of trimming pay. If, therefore, the trimming pay is increased by Rs. 20/- p.m., the total emoluments would be increased by Rs. 25.20 p.m.

36. Having given my consideration to all relevant facts, I am of the view that to remove the anomaly those categories who now get a trimming pay of Rs. 5/- p.m., should get Rs. 25/- p.m. and those who now get Rs. 7.50 p.m., should get Rs. 30/- p.m.

37. The last question for my consideration is as to from what date this should be made effective. It is true that the Wage Board recommendations have been brought into force from 1st January, 1969 and that is the date from which the workers want addition in the trimming pay. In this connection, I may mention that the anomaly has been in existence for quite some time and the workers are themselves to blame for keeping silent about it for so long. I would direct that the increase in the trimming pay should come into effect from 11th November, 1970 on which date the parties entered into the agreement of referring the matter to arbitration.

I pass my award accordingly.

Dated 26th February, 1971.

Sd./- L. P. DAVE,

Arbitrator.

[No. 72/30/70-P & D.]

ORDERS

New Delhi, the 25th March 1971

S.O. 1431.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Calcutta Port Commissioners, Calcutta and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the demand of the workmen for designating Shri Ashutosh Dey and Shri Bijoy Chandra Das of D.L.S. Workshop in the Calcutta Port Commissioners as Viceman Fitters is justified; if so, to what relief and from what date, are they entitled?"

[No. 72/31/70-P&D.]

(अर अर रो रार विभाग)

आदेश

नई दिल्ली, 25 मार्च, 1971

का० अ० 1431.—यतः केन्द्रीय सरकार की राय है कि इस उभावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में कर्मता पान आयुक्त, कर्मता के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अन्तर्गत गठित केन्द्रीय सरकार औद्योगिक अधिकरण, कर्मता को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या कर्मकारों की कर्मता पान प्रयुक्त की डी० एन० एन० कर्मशाता के श्री आशुतोष डे और श्री विजय चन्द्र दास को वाइसमैन फिटर्स के रूप में पदनामित करने की मांग न्यायोचित है; यदि हां तो वे किस अनुसूची के और किस तारीख से हकदार हैं?"

[सं० 72/31/71-पी एंड डी 3]

New Delhi, the 26th March 1971

S.O. 1432.—Whereas an industrial dispute exists between the employers in relation to the Management of the Food Corporation of India, Eastern Zone, Calcutta and their workmen represented by the Food Corporation of India Workers' Union, Calcutta.

And whereas the said employers and their workmen have, by a written agreement under Sub-Section (1) of Section 10(A) of the Industrial Disputes, Act,

1947, agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under Sub-Section (3) of Section 10A of the said Act, a copy of the said arbitration agreement;

Now, therefore, in pursuance of Sub-Section (3) of Section 10(A) of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10(A) OF THE INDUSTRIAL DISPUTES ACT, 1947

BETWEEN

Representing Employers:—(1) Deputy Zonal Manager, (2) Joint Manager (Port Operation), The Food Corporation of India, Eastern Zone.

Representing Workmen:—(1) Secretary the Food Corporation of India Workers' Union, 58, Diamond Harbour Road, Calcutta-23.

It is hereby agreed between the parties to refer the following Industrial Disputes to the arbitration of Shri B. N. Banerjee, (in his personal capacity), presently Presiding Officer, Central Government Industrial Tribunal, Calcutta.

(i) Specific matter in Dispute.—(a) Whether the workers departmentalised with effect from 15th January, 1970 by the Food Corporation of India, Eastern Zone, Calcutta working in the Depot/Godown/Dock are eligible for the payment of arrears with effect from 1st January, 1969 arising out of the recommendation of the Central Wage Board for the Port and Dock Workers at the major ports as accepted by the Government of India, in the Ministry of Labour and Employment under Resolution dated 28th March, 1970.

If so keeping in view the terms of employment existing prior to departmentalisation, whether the Food Corporation of India is responsible for effecting the said payment.

(b) Whether the workers departmentalised with effect from 15th January, 1970 by the Food Corporation of India, Eastern Zone, working in the depot/godown/dock, are eligible for the payment of Bonus from 1st January, 1969 to 15th January, 1970.

If so, keeping in view the terms of employment existing prior to departmentalisation whether the Food Corporation of India is responsible for effecting the payment of Bonus from 1st January, 1969 to 15th January, 1970.

(c) Whether the Incentive Scheme introduced by the Food Corporation of India, Eastern Zone, Calcutta, dated 14th December, 1970 in relation to the piece rate Handling Workers in their godowns in greater Calcutta, needs any modification/alteration/amendment.

If so, what should be the modification/alteration/amendment in relation to the various clauses of the Incentive Scheme introduced with effect from 16th December, 1970 by the Food Corporation of India, Eastern Zone, Calcutta.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.—The employer in relation to Food Corporation of India, Eastern Zone, Calcutta, 10, Middleton Row, and their workmen employed at the Depot/Godowns & Dock viz. Piece Rate Mazdoors. Time Rate Mazdoors, Mates Mandals & Sardars.

(iii) Name of the workmen in case he himself is involved in the dispute or the name of the Union, if any, representing the workmen in question.—Food Corporation of India Workers Union, 58, Diamond Harbour Road, Calcutta-23.

(iv) Total number of workmen employed in the undertaking affected.—2,200 approximately.

(v) Estimated number of workmen affected or likely to be affected by the dispute.—2,100 approximately.

The Arbitrator shall make his award within a period of three months from the date when he takes up the reference or within such further time as is extended by mutual agreement between us in writing. In case the award is not

made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties:

Representing workmen:

- (1) (Sd.) Secretary,
Food Corporation of India
Workers Union, Calcutta.

Representing employers:

- (1) (Sd.) P. S. Roy,
Deputy Zonal Manager.
(2) (Sd.) G. K. CHUGANI,
Joint Manager (Port Operations).

Witnesses:

- (1) (Sd.) SUKUMAR BHATTACHARYA,
(AM-DM I).
(2) (Sd.) PRODYAT RAICHOWDHURY,
Office, Secretary, F.C.I.,
Workers' Union.

[No. L-320-13/2/71-P&D.]

AJIT CHANDRA, Under Secy.

नई दिल्ली, 26 मार्च, 1971

का० प्र० 1432.—यतः भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता के प्रबन्धतंत्र से सम्बन्ध नियोजकों और उनके कर्मकारों, जिनका प्रतिनिधित्व फूड कार्पोरेशन आफ इंडिया वर्कर्स यूनियन, कलकत्ता करती है के बीच एक औद्योगिक विवाद विद्यमान है।

और यतः उक्त नियोजकों और उनके कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क की उपधारा (1) के अधीन लिखित करारद्वारा उक्त विवाद को माध्यस्थम् के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थम् करार की एक प्रति उक्त अधिनियम की धारा 10-क की उपधारा (3) के अधीन केन्द्रीय सरकार को भेजी है;

अतः, अब, उक्त अधिनियम की धारा 10-क की उपधारा (3) के अनुसरण में केन्द्रीय सरकार उक्त करार को एतद्वारा प्रकाशित करती है।

औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन करार

निम्नलिखित के बीच

नियोजकों का प्रतिनिधित्व
करने वाले

- | | |
|---|--|
| (1) जोनल उपप्रबन्धक | } भारतीय खाद्य
निगम, पूर्वी
जोन। |
| (2) संयुक्त प्रबन्धक (पत्तन संक्रि-
यायें) | |

कर्मकारों का प्रतिनिधित्व करने वाले

- (1) सचिव, फूड कार्पोरेशन आफ इण्डिया वर्कर्स
यूनियन, 58, डायमण्ड हार्बर रोड, कलकत्ता-23

पक्षकारों के बीच निम्नलिखित औद्योगिक विवादों को एतद्वारा श्री बी० एन० बनर्जी के, जो इस समय पीठासीन अधिकारी, केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता, है (उसकी वयक्तिक हैसियत में) माध्यस्थम् के लिये निर्देशित करने का करार किया गया है।

- (i) विनिर्दिष्ट विवादग्रस्त विषय (क) क्या भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता द्वारा 15-1-70 से विभागीयकृत डीपो/भण्डार/डाक में काम करने वाले कर्मकार भारत सरकार के श्रम और रोजगार मंत्रालय द्वारा तारीख 28 मार्च, 1970 के संकल्प के अन्तर्गत यथा स्वीकृत महापत्तनों पर पत्तन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की सिफारिशों से उद्भूत बकाया के 1-1-69 से संदाय के पात्र हैं ?

यदि हां, तो क्या विभागीयकरण से विद्यमान नियोजन-निबन्धनों को ध्यान में रखते हुये भारतीय खाद्य निगम उक्त संदाय करने के लिये उत्तरदायी है ।

- (ख) क्या भारतीय खाद्य निगम, पूर्वी जोन द्वारा 15-1-70 से विभागीयकृत डीपो/भण्डार/डाक में काम करने वाले कर्मकार 1-1-69 से 15-1-1970 तक के बोनस के संदाय के पात्र हैं ?

यदि हां, तो क्या विभागीयकरण से पूर्व विद्यमान नियोजन निबन्धनों को ध्यान में रखते हुये भारतीय खाद्य निगम 1-1-1969 से 15-1-70 तक के बोनस का संदाय करने के लिये उत्तरदायी हैं ?

- (ग) क्या भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता द्वारा अपने बृहत्तर कलकत्ता स्थित गोदामों में मात्रा-नुपाती दर वाले हैडलिंग कर्मकारों के सम्बन्ध में चालू की गई तारीख 14-12-70 वाली प्रोत्साहन स्कीम में कोई उभान्तरण/परिवर्तन/संशोधन करने की आवश्यकता है ?

यदि हां, तो भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता द्वारा 16-12-70 से चालू की गई प्रोत्साहन स्कीम के विभिन्न खण्डों के सम्बन्ध में किया जाने वाला उभान्तरण/परिवर्तन/संशोधन क्या होना चाहिये ?

- (ii) विवाद के पक्षकारों का विवरण भारतीय खाद्य निगम, पूर्वी जोन, कलकत्ता 10, मिडल्टन रोड, कलकत्ता से सम्बद्ध नियोजक और उसके कर्मकार जो डीपो/भण्डारों और डाक में नियोजित हैं, अर्थात् मात्रानुपाती दर वाले मजदूर, कालानुपाती दर वाले मजदूर, मेट मण्डल और सरदार । जिसमें अन्तर्वर्लित स्थापन या उपक्रम का नाम और पता भी सम्मिलित है ।

- (iii) यदि कर्मकार स्वयं विवाद फूड कॉर्पोरेशन ऑफ इण्डिया वर्कर्स यूनियन, 58, डायमंड हार्बर रोड, कलकत्ता-23 में अन्तर्वर्लित हैं तो उसका नाम या यदि कोई संघ प्रश्नगत कर्मकारों का प्रतिनिधित्व करता हो तो उसका नाम ।

(iv) प्रभावित उपक्रम में नियोजित लगभग—2200

कर्मकारों की कुल संख्या ।

(v) विवाद द्वारा प्रभावित या संभा- लगभग—22100

व्यतः प्रभावित होने वाले

कर्मकारों की प्राक्कलित

संख्या ।

मध्यस्थ अपना पंचाट उस तारीख से जब वह निर्देश पर कार्य करने लगता है, तीन मास की अवधि के भीतर या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाये, देगा । यदि ऊपर वर्णित अवधि के भीतर पंचाट नहीं दिया जाता तो मध्यास्थम के लिये निर्देश स्वतः रद्द हो जाएगा और हम नये माध्यस्थम के लिये बातचीत करने के लिये स्वतंत्र होंगे ।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले

(1) ह०/- पी० एस० राय,

जोनल उपप्रबन्धक

(2) ह०/- (जी० के० चुगानी,

संयुक्त प्रबन्धक (पत्तन संक्रियाएं)

कर्मकारों का प्रतिनिधित्व करने वाले

ह०/-

सचिव ।

फूड कॉर्पोरेशन आफ इण्डिया वर्कर्स यूनियन,

कलकत्ता ।

साक्षी :—

(1) ह०- सुकुमार भट्टाचार्य,

(ए० एम०—डी० एम० I)

(2) ह०-प्रोबत राय चौधरी,

कार्यालय सचिव, एफ० सी० आई० वर्कर्स यूनियन ।

[सं० एल०-320-13/2/71/पी० एण्ड डी]

अजित चन्द्र, अवसर सचिव ।

(Department of Labour and Employment)

New Delhi, the 25th March 1971

S.O. 1433.—In exercise of the powers conferred by section 7, read with section 9 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby nominates Sarvashri J. K. Mathur, Joint Director, Civil Engineering, Railway Board and K. S. K. Rao, Assistant Commissioner (Land Reclamation) Department of Agriculture, as members of Advisory Board in place of Sarvashri N. V. Basrur and Gurmeh Singh and makes the following further amendments in the notification

of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3580, dated the 26th September, 1968, namely:—

In the said notification, under the heading "II. Representatives of Employers", for entries (2) and (5), the following entries shall respectively be substituted, namely:—

"(2) Shri J. K. Mathur, Joint Director, Civil Engineering, Railway Board, Ministry of Railways, New Delhi."

"(5) Shri K. S. K. Rao, Assistant Commissioner (Land Reclamation), Department of Agriculture, New Delhi."

[No. LWI 1-6 (15)/68 (WE).]

(श्रम और रोजगार विभाग)

नई दिल्ली, 25 मार्च, 1971

का० आ० 1433.—न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 9 के साथ पठित धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, सर्वश्री जे० के० माथुर, संयुक्त निदेशक, सिविल इंजीनियरी, रेल बोर्ड और के० एस० के० राव, सहायक आयुक्त (भूमि-सुधार) कृषि विभाग को सर्वश्री एन० बी० बसहर और गुरमेल सिंह के स्थान पर एतद्द्वारा सलाहकार बोर्ड के सदस्य के रूप में नामनिर्देशित करती है और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 3580, तारीख 26 सितम्बर, 1968 में और आग निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, शीर्ष "2. नियोजकों के प्रतिनिधि" के नीचे प्रविष्टियों (2) और (5) के स्थान पर क्रमशः निम्नलिखित प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात् :—

"(2) श्री जे० के० माथुर,
संयुक्त निदेशक, सिविल इंजीनियरी,
रेल बोर्ड, रेल मंत्रालय,
नई दिल्ली।

"(5) श्री के० एस० के० राव,
सहायक आयुक्त (भूमि सुधार),
कृषि विभाग,
नई दिल्ली।"

[संख्या एल० डब्ल्यू० आई० 1-6(15)/68(डब्ल्यू० ई०)]

S.O. 1434.—Whereas the Central Government is of opinion that the minimum rates of wages should be fixed under the Minimum Wages Act, 1948 (11 of 1948) in respect of employment in Quartz Mines covered under the Mines Act, 1952 (35 of 1952).

Now, therefore, in exercise of the powers conferred by section 27 of the said Act, the Central Government hereby given notice of its intention to add the said employment to part I of the Schedule to the said Act.

Any suggestions or objections which may be received from any person in respect of the said addition before the 30th June, 1971 will be considered by the Central Government.

[No. 2(33)/67-LWI (WE).]

HANS RAJ CHHABRA, Under Secy.

का० आ० 1434.—यतः केन्द्रीय सरकार की राय है कि खान अधिनियम 1952 (1952 का 35) के अन्तर्गत आने वाली स्फीटक खानों में के नियोजन की बाबत न्यूनतम मजदूरी दरें, न्यूनतम मजदूरी अधिनियम 1948 (1948 का 11) के अधीन नियत की जानी चाहिए ।

अतः, अब, उक्त अधिनियम की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम की अनुसूची के भाग 1 में उक्त नियोजन को जोड़ने के अपने आशय की सूचना एतद्वारा देती है ।

केन्द्रीय सरकार किन्हीं भी ऐसे आक्षेपों या सुझावों पर विचार करेगी जो उक्त परिवर्धन के बारे में 30 जून, 1971 से पूर्व किसी व्यक्ति से प्राप्त होंगे ।

[संख्या 2(33)/67-एल० डब्ल्यू० आई० (डब्ल्यू० ई०)]

हंस राज छाबड़ा, अवर सचिव ।

(Department of Labour and Employment)

New Delhi, the 26th March 1971

S.O. 1435.—In pursuance of clause (c) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri S. N. Bose as a member of the Regional Committee for the State of West Bengal and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1278, dated the 20th June, 1953, namely:—

In the said notification, for entry 12, the following entry shall be substituted, namely:—

"12. Shri S. N. Bose, Director, Bata Shoes and Company (Private) Limited, 30, Shakespeare Sarani, Calcutta-17."

[No. 12/6/64-PF.II.]

DALJIT SINGH, Under Secy.

(श्रम और रोजगार विभाग)

नई दिल्ली, 26 मार्च, 1971

का० आ० 1435.—कर्मचारी भविष्य निधि स्कीम 1952 के पैरा 4 के उपपैरा (1) के खण्ड (ड) के अनुसरण में केन्द्रीय सरकार श्री एस० एन० बोस को पश्चिमी बंगाल राज्य की क्षेत्रीय समिति का सदस्य एतद्वारा नियुक्त करती है और भारत सरकार के भूतपूर्व श्रम मंत्रालय की अधिसूचना सं० का० नि० आ० 1278 तारीख 20 जून, 1953 में और आगे निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में प्रविष्टि 12 के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात् :—

"12. श्री एस० एन० बोस,
निदेशक, बांटा शूज एण्ड कम्पनी (प्राइवेट) लिमिटेड,
30, शेक्सपियर सरानी, कलकत्ता-17" ।

[संख्या 12/6/64-पी० एफ०-2]

दलजीत सिंह, अवर सचिव ।

(Department of Labour and Employment)

New Delhi, the 25th March 1971

S.O. 1436.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Iron Ore Mines of Messrs Companhia Mineira Dempo and Souza Limited and their workmen, which was received by the Central Government on the 18th March, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-36 CF 1967

PARTIES:

Employers in relation to M/s Companhia Mineira Dempo and Souza Ltd., Goa

AND

Their Workmen

PRESENT:

Shri A. T. Zambre, Presiding Officer.

APPEARANCES:

For the employers—Shri P. K. Rele, Solicitor,

For the workmen—Shri Madan Phadnis, Advocate with Shri George Vaz, General Secretary, Goa Mining Labour Welfare Union.

STATE: Union Territory of Goa, Daman and Diu. INDUSTRY: Iron Ore Mining

Bombay, dated 27th February, 1971

AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, by order No. 37/9/67/-LR-I dated 24th November, 1967 have referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the iron ore mines of Messrs. Companhia Mineira Dempo and Souza Ltd., and their workmen in respect of the matters specified in the following schedule:

SCHEDULE

“Whether the present rates of wages and dearness allowance being paid to the piece-rated workmen employed in the Iron Ore Mines of Messrs. Companhia Mineira Dempo and Souza Ltd., are adequate, keeping in view the prevailing cost of living index, If not, what should be the wages, dearness allowance and other allowances, and whether the dearness allowance should be linked with the cost of living index for the working class?”

2. Whether aforesaid piece-rated workmen are entitled for payment of bonus under the payment of Bonus Act for the accounting years 1964-65 and 1965-66? If so, what should be the quantum of bonus?”

2. The terms in the above schedule will show that the dispute in the present reference concerns only the piece-rated workmen employed in the iron ore mines of the company. These workers are the members of the Goa Mining Labour Welfare Union Assonora. The union has by its statement of claim contended that the company has been started before some 12 years and is engaged in the mining of iron ore. It is one of the biggest iron ore mining concerns in the union territory of Goa and has in its employment about 1500 workmen. It is alleged that out of the 1500 employees about 800 to 900 are on piece-rate basis and under the direct supervision of the company and work in the industry on piece-rate or group basis.

3. It is further alleged that the present rate of piece-work paid to the workmen was fixed in the year 1954 and there has been no revision in this rate for the last 14 years. The cost of living index in every part of the country including Goa has gone up considerably. The total amount of piece-rate earned by a group of five workmen in a month comes to about Rs. 390/- and thus each workman earns about Rs. 65.07 in a month which comes to a Rs. 2.50 per day while an unskilled worker in the region is paid a total minimum wage of Rs. 6/- per day. Moreover the piece-rated workmen have to work about 10 to 12 hours a day and thus the workmen are

the lowest paid employees. They should get full neutralization of the rise in the cost of living index and should be paid piece-rate at Rs. 9/- per day linked to the all India working class consumer price index of 186 of 1949 = 100 basis and for a further rise in the cost of living index. They had also contended that the Payment of Bonus Act, 1965, is applicable to workmen working on piece-rates and the workmen should be given bonus for the two years after calling upon the company to file their balance sheets and profit and loss accounts and other information required.

4. The employers have by their written statement opposed the reference firstly on the contention that the company did not employ any piece-rated workmen in its iron ore mines and no question can arise of a dispute between the company and its workmen. It has contended that the company has entered into a contract with mining contractors who undertook the winning of the required grade of ore. The mining contractors engage their labour force. The payment to the labour employed by the contractors is entirely a matter between the contractors and their labour force. The company does not pay any wages to the alleged piece-rated workmen as it does not employ any piece-rated workmen. The mining contractors are allotted from time to time faces in the company's mines for winning ore and there is no privity of contract between the workmen employed by the contractors and the company. The workers engaged by the mining contractors are not the workmen of the company and as there is no industrial dispute the company is not concerned in any way with the hiring or firing or remuneration or supervision of the workmen engaged by the mining contractors, and the company cannot be called upon to treat such workmen as its workmen and the reference is not tenable.

5. By a subsequent written statement the employers raised technical issues contending that the company was prosecuted under the Payment of Wages (Mines) Rules, 1956 for breach of the provisions of the rules. In that case it was urged on behalf of the company that the piece-rated persons engaged by the contractors for winning ore were not the employees of the company and therefore the company was not under obligation to comply with all or any of the provisions of the said rule. The learned Judge after considering the evidence on record came to the conclusion that there was no master and servant or employer and employee relationship between the said persons and the company and had dismissed the complaint. The State had preferred an appeal against the said judgment and the Judicial Commissioner Goa, Daman and Diu dismissed the appeal and as the question whether the persons engaged by the contractors are the employees of the company has been the subject matter of judicial pronouncement by the Judicial Commissioner's Court which judgment is binding on this Tribunal it is not open to the workmen to re-agitate the same question.

6. In the alternative it has been contended that the question is barred by *res-judicata* or principles analogous to *res-judicata* and as there is no employer-employee relationship between the company and the workmen the reference should be dismissed and the parties have requested the Tribunal to first consider the contention about *res-judicata* and the relationship between the parties.

7. In support of their contentions the company has produced a copy of the judgment of the Judicial Commissioner's Court, Goa, Daman and Diu passed in Criminal Appeal No. 22 of 1967 by which the company and its manager and agent were prosecuted for the offences of the breach of rules 5, 5A and 8(2) of the Payment of Wages (Mines) Rules, 1956 on the complaint that the company had not maintained the registers of wages of the piece-rated workmen numbering about 461 as required by rule 5. It appears the trial Court had dismissed the complaint and acquitted the accused and the State had preferred an appeal which was also dismissed. The company has also produced copies of the judgments in other criminal cases Criminal Case No. 458/69, 269/70, 460/69, 457/69 and 271/70 which show that in similar prosecutions for the non-observance of the rules the company was acquitted and the first question is whether the issue is barred by *res-judicata*.

8. Shri Rele the learned Counsel on behalf of the management has argued that the original complaint No. 22/1967 was filed by the Labour Enforcement Officer (Central) Vascoda-Gama who had visited the iron ore mines of the company at Bicholim on 4th and 5th June 1965 and had notice non-observance of the provisions of rule 5, 5A and 8(2) as the company had not maintained the register of wages for the piece-rated workmen. The trial court had held that the piece-rated workmen had actually been employed by the contractors engaged by the accused and not by the accused and as such the accused were not bound to maintain the necessary register. The appeal court had also upheld the decision and thus there is finding that the piece-rated workmen have been employed by the contractors and not by the company. There is therefore no employer-employee relationship between the

piece-rated workmen and the company and the workmen cannot now agitate the same question as it has become *res-judicata*.

9. It is true that the Criminal Court has held that the 461 workmen have been employed by the contractors engaged by the company and the appellate Court has also accepted the decision. The Judicial Commissioner's Court has framed the issue as follows:—

"The principal question that falls for determination is whether the 461 workmen were the employees of the company or of the contractors engaged by the company and if latter whether the company was bound in law to maintain the registers in respect of those workmen."

The learned Judge has discussed the evidence and has observed:—

"It can bear repetition to state that Joao Costa and Miguel Colaco have unequivocally confirmed that they had been engaged as contractors by the company and it were they who had employed the workmen for digging the ore for other connected works."

The learned Judge has also discussed the ruling reported in A.I.R. 1958 S.C. 388 Chintaman Rao v. State of Madhya Pradesh where it has been observed that the concept of employment involves three ingredients (1) employer (2) employee and (3) the contract of employment and has given the finding:—

"The prosecution was unable to establish any direct contract between the workmen and the company. On the other hand the prosecution evidence conclusively establishes that those workmen had been directly engaged by the contractors of the company and that the company had to control over any of these workmen."

and the appeal was dismissed.

This judgment clearly shows that the issue about the employer-employee relationship between the 461 piece-rated workmen and the company has been actually gone into and according to the finding there is no employer-employee relationship.

10. However, it cannot be ignored that this finding has been given in a criminal case against the company. The complaint was filed by the Labour Enforcement Officer and it cannot be said that the workmen were parties to these proceedings. The learned Counsel Shri Rele has relied upon the rulings reported in 1957 1 LLJ 226 and 1965 11 LLJ 405. In the first ruling it has been observed:—

"It is on this principle that the rule *res-judicata* enacted in section 11 of the Civil Procedure Code is based. That section is no doubt in terms inapplicable to the decisions of industrial tribunals but the principle underlying it expressed in the maxim *interest rei publicae ut finis sit* is founded on sound policy and is of universal application. Now there are good reasons why this principle should be applicable to decisions of industrial tribunals also."

I do not think that these observations would be applicable to the facts of the present case as the first decision is of the Criminal Court. The parties are different and the issue cannot be barred even on principles analogous to the principles of *res-judicata*.

11. The learned Counsel Shri Rele has argued that the present reference is in respect of the dispute between the parties from the territory of Goa. The Judicial Commissioner's Court is declared to be High Court and the decision of that Court will be binding on this Tribunal and as the point has been decided by the higher court the findings shall have to be accepted and it should be held that there is no employer-employee relationship between the parties. The learned Counsel has invited my attention to the provisions of the Goa, Daman and Diu Judicial Commissioner's Court Declaration as High Court) Act, 1964 and the ruling reported in A.I.R. 1962 Supreme Court page 1893 Messrs. East India Commercial Co. Ltd., Calcutta and another v. Collector of Customs, Calcutta and the question is whether the judgement is binding upon this Tribunal as law.

12. It is clear from the provisions of section 3 of the Goa, Daman and Diu Judicial Commissioner's Court (Declaration as High Court) Act, 1964 that the Court of the Judicial Commissioner for the Union Territory of Goa, Daman and Diu is declared to be a High Court for the purposes of articles 132, 133 and 134 and the Judicial Commissioner's Court has to be considered to be the High Court in the union territory. It is also clear from the provisions of section 6 of that Act that the provisions of Article 226 and 227 are applicable and the Honourable Court can issue appropriate writs under those articles.

13. The learned Counsel has relied upon the ruling reported in A.I.R. 1962 in which it has been observed on page 1905:—

"This raises the question whether an administrative tribunal can ignore the law declared by the highest court in the State and initiate proceeding in direct violation of the law so declared. Under Article 215 every Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself. Under article 226 it has a plenary power to issue orders or writs for the enforcement of the fundamental rights and for any other purpose to any person or authority including in appropriate cases any Government within its territorial jurisdiction. Under Article 227 it has jurisdiction over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction. It would be anomalous to suggest that a tribunal over which the high court has superintendence can ignore the law declared by that court and start proceedings in direct violation of it. If a tribunal can do so all the subordinate courts can equally do so for there is no specific provision just like in the case of Supreme Court making the law declared by the High Court binding on subordinate courts. It is implicit in the power of supervision conferred on a superior tribunal that all the tribunals subject to its supervision should conform to the law laid down by it. Such obedience would also be conducive to their smooth working, otherwise there would be confusion in the administration of law and respect for law would irretrievably suffer. We therefore hold that the law declared by the Highest Court in the State is binding on authorities or tribunals under its superintendence and that they cannot ignore it either in initiating a proceeding or deciding on the rights involved in such a proceeding."

This ruling will not be applicable to the facts of the case. I do not think that the Judicial Commissioner's Court has any power of superintendence over this Tribunal which has been constituted under section 7 of the Industrial Disputes Act. Article 227 provides in effect that every High Court shall have superintendence over all courts and tribunals throughout the territory in relation to which it exercise jurisdiction. This tribunal is not situated in the union territory and consequently the ruling will not be applicable.

14. Moreover the judgment produced by the employers does not lay down any law but decides the issues involved in that case. The learned Judge of the Appellate Court has accepted the findings of the trial court and there is no question of violation of any law laid down by the Judicial Commissioner. The decision in any case is binding between the parties themselves and as the workmen are not parties to the case there is no question of the decision being binding in these proceedings and under the circumstances it shall have to be held that though the question has been decided in the criminal case the same can be reagitated and considered again and the further question is whether there is any employer employee relationship between the parties.

15. After the parties filed their statements and rejoinders when the matter was fixed for hearing the employers have in support of their contentions filed an affidavit of their Mining Engineer and Manager Shri Amal Chandra Bose. The union did not file any affidavit and the matter had to be adjourned. Subsequently the reference was kept for hearing on 23rd January, 1970 at Panjim when both parties requested that the preliminary points should be heard in Bombay. Accordingly when the reference was fixed for hearing in Bombay the Union made an application for adjournment contending that the employers had filed an affidavit and the union has also to tender evidence and so it should be fixed at Goa and so it was adjourned. It was again fixed for hearing at Goa on 30th September, 1970. But on that day also both the parties asked for an adjournment and requested that the reference may be kept for hearing in Bombay expressly stating that if any witness has to be produced for the preliminary hearing he will be produced in Bombay. Accordingly the matter was fixed for hearing but the union has not produced any affidavit nor have they examined any witness and there is no evidence on their behalf.

16. The Mining Engineer of the company has in his affidavit stated:—

"The company owns iron ore mines in Goa. The winning of the required grade ore is a very speculative endeavour and such winning if done manually by a mine owner will put him to tremendous costs with no guarantee of his winning the required grade or to even set off such costs. Hence traditionally individuals or associations of individuals take the risk and chance of winning the required grade of ore and enter into contracts with the mine owners on the basis of the mining contractor being paid for their required grade of ore won by him."

He has further stated that the mining contractors engage their own men and the company is in no way concerned with either the hiring of or payment to or hours of work of attendance or discipline of the men engaged by the mining contractor and neither has the company any control over the said men. He has also stated that the contractor and his men who are winning the ore are not workmen employed by the company. The company does not employ any piece-rated employees and the alleged piece-rated persons are employed by the contractors and are directly answerable to them and this evidence shows that the piece-rated employees are employed by the contractors and not by the company.

17. This inference will be further corroborated from the representation of the union itself. It is significant to note that when the union raised the dispute it has specifically stated that they were raising the dispute on behalf of the piece-rated workmen who were employed through the contractors. The Government while referring this dispute has along with the reference order forwarded to this tribunal the failure report of the Assistant Labour Commissioner together with a copy of the union's letter dated 23rd December, 1966. The first paragraph of that letter reads as follows:—

"The union wishes to raise an industrial dispute under the I.D. Act 1947 in respect of piece-rated workers employed through Mukadams on the mines of Messrs. Companhia Mineira Dempo and Souza Limited, Panjim, on the following charter of demands."

This itself shows that the piece-rated workmen have been employed through the mukadams. Further a glance at the demands made will also support the management's case that the workmen are employed by the contractors. The union has made a demand that the company be made to maintain a register of all the piece-rated workers working on the mine besides the mukadam who is required to also maintain an attendance register:—

18. It will be further seen that when notices of this reference were issued to the parties the union has made an application dated 20th December, 1967 for time to file their statement of claim. In this application the General Secretary has stated:—

"I am late due to unavoidable reasons and pray the tribunal to condone the delay and grant me a month's time by which to file my statement. This is the first of the disputes concerning piece-rated workers employed in the iron-ore mines and a number of contractors or mukadams through which these piece-rated workers are employed have to be interviewed and their evidence, rates of payments etcetera registered and this process will take some time."

This shows that the workmen are directly employed by the contractors and mukadams and hence the union might not have thought proper to lead any evidence and it shall have to be held that there is no employer-employee relationship between the employees involved in the reference and the company. There is no privity of contract and consequently there can be no dispute about increase in the rates of wages. The employees are not the workmen of the company and it shall have to be held that there is no dispute between the company and its workmen. Hence my award accordingly.

No order as to costs.

(Sd.) A. T. ZAMBRE,
Presiding Officer,
Central Government Industrial Tribunal,
Bombay.
[No. 37/9/67-LR-I(LR-IV).]

S.O. 1437.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the management of Messrs Kherani Construction and Company, Stone Metal and Building Materials Suppliers (Quarry) Bombay and their workmen, which was received by the Central Government on the 20th March, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-7 OF 1969

PARTIES:

Employers in relation to the management of Kherani Construction and Company Stone Metal and Building Materials Suppliers (Quarry) Bombay

AND

Their Workmen

PRESENT:

Shri A. T. Zambre, Presiding Officer.

APPEARANCES:

For the employers—Shri G. S. Balooch, Labour Adviser.

For the workmen—Shri G. R. Khanolkar, Legal Adviser with Shri Krishna Joshi, General Secretary Khan Kamgar Union.

STATE: Maharashtra

INDUSTRY: Quarrying.

Bombay, dated 27th February, 1971

AWARD

The Government of India, Ministry of Labour Employment and Rehabilitation, Department of Labour and Employment have by their Order No. 36/48/69-LR-IV-1 dated 10th December 1969 referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of M/s Kherani Construction and Company, Stone Metal and Building Materials Suppliers (Quarry), Bombay, and their workmen in respect of the matters specified in the following schedule:—

SCHEDULE

“Whether the employees of Messrs. Kherani Construction and Company, Wal Kata Mohili Shaki Vihar Road, Kurka, Bombay, are justified in their demands for (1) rise in wages (2) half pay leave during the injury or sickness periods (3) 12 days casual leave with full pay (4) 33 days earned leave with full pay (5) 20 days sick leave with full pay (6) dangerous allowance (7) gratuity (8) 20 per cent bonus for the years from 1962 to 1969 and (9) overtime allowance at double the normal rates of wages. If so, to what relief are the workmen entitled?”

2. The employer company which is a partnership is engaged in winning the stones by blasting, breaking and crushing the same. The stones after the above processes are screened in rotary screen by method of gravitation and the finished product comes out. For this purpose the company engages in the quarry the employees who do the work of drilling holes inside the hill. There is one blaster who puts explosives inside the drilled holes and blasts and when the stones are blasted out of the quarry they are manually broken by the employees known as takers who break the stones according to the required sizes known as rubble, or smaller size known as rewalis. These are thereafter transported to the crushers installed in the factory. The employees working in the quarry are members of the Maharashtra Khan Kamgar Union, Bombay.

3. In the month of June 1969 there were some disputes between the workmen and the management. The workmen requested the management to provide them with vehicles to go to the hospital in the event of accident injury caused to the workman during the course of his duty. But the management refused and stopped all the workmen from their job on 7th June, 1969. Hence the General Secretary, Maharashtra Khan Kamgar Union, Bombay had raised a dispute serving a charter of various demands such as (1) rise in wages to the workmen (2) half pay leave during the injury sick period (3) 12 days casual leave with full pay (4) 33 days earned leave with full pay (5) 20 days sick leave with full pay, (6) dangerous allowance (7) gratuity (8) bonus etc.. The Assistant Labour Commissioner (C) forwarded the representation to the management and entered into conciliation proceedings. He also apprised Dr. Samant M.L.A. the President of the Union of the management's offers but the union demanded higher rates of wages than those offered by the management. The conciliation ended in failure and hence Government referred the above dispute for adjudication.

4. The employees went on strike and hence after the receipt of the reference order when notices were issued the parties settled the main demand about rise in wages

and filed the terms of settlement in that respect on 22nd January, 1970 which was subsequently amended by the term of settlement dated 8th July 1970.

5. The union has by its statement of claim dated 28th December, 1970 contended that at present there are no conditions of service by which the employees are assured of sick leave or casual leave and other leaves. The work of the blasters and drillers is hazardous. They are required to climb the peak of the hills to do the drilling and blasting and the demand about dangerous allowance was for compensating the risk involved. There is no scheme of gratuity in existence nor is there any scheme of provident fund. No bonus has been paid and all the demands made by them were reasonable and were in basic relation with the elementary conditions of service.

6. The employers have by their written statement opposed the demands and have contended that the workers were governed by the Workmen's Compensation Act 1923 and looking to the nature of the work in the industry and the condition of labor the question of giving earned leave, casual leave etc., does not arise. The demands are vague. The company also is not in a financial position to bear the burden of granting the demands. The company had paid bonus to the workmen upto the year 1967-68 and the demands now made should be rejected.

7. When the reference was kept for hearing the parties negotiated the demands under dispute and settled some of them by their settlement dated 22nd February, 1971 and some finally by the terms of settlement dated 26th February, 1971. They could not settle demand No. 5 regarding sick leave with full pay and argued their contentions in that respect and requested the Tribunal to decide that issue on the pleadings and the arguments and pass an award in terms of that decision and the settlements in respect of the other demands.

8. By the terms of settlement dated 19th January, 1970 filed on 22nd January, 1970 and 8th July, 1970 they have agreed to the rates of wages of the various categories of workmen and given retrospective effect to them from 19th January, 1970. The employer company has raised the wages and the workmen are satisfied and the terms of settlement dated 8th July, 1970 will form part of this award.

9. Demand Nos. 3 and 8 are settled under the settlement dated 22nd February, 1971. The management has agreed to grant five days casual leave with full wages each year. They have also agreed to pay to the workmen bonus at 6 per cent of the wages drawn by the workmen during the financial years 1964-65 and 1966-67 and has further agreed to grant bonus at the rate of 7 per cent of the total earnings for the years 1967-68 upto the financial years 1970-71. The terms are reasonable and this settlement will form part of the award.

10. Lastly by the terms of settlement dated 26th February, 1971 they have amicably settled demands Nos. 2, 4, 7 and 9. Regarding demand No. 2 the management has agreed that all workmen would be granted sick leave and paid wages during the period of sickness in accordance with the provisions of the Workmen's Compensation Act and have further agreed to grant privilege leave of 15 days per year with a right to accumulate upto 30 dys. The management has introduced a gratuity scheme and have further agreed to pay overtime wages as per the provisions of the Factories Act, 1948. The workmen have withdrawn the demand about dangerous allowance. These terms also are reasonable and I think it proper to accept all the terms of settlement and pass an award. Accordingly, the terms of settlement dated 19th January, 1970, 8th July, 1970 22nd February, 1971 and 26th February, 1971 annexures A, B, C and D will form part of this award and I shall now discuss the demand about 20 days sick leave with pay.

11. Shri Khanolkar the Legal Adviser of the Union has argued that by demand No. 5 the union has demanded 20 days sick leave with full wages. The condition to have sick leave with full wages is an absolute necessity. The provisions of the employees State Insurance Scheme are not applicable to the workmen and they are entitled to get sick leave with full wages. Shri Balooch on behalf of the employers has submitted that the employers have already agreed to the workers' demand No. 2 about half pay leave during injury and sick periods and consequently demand No. 5 does not survive and the workmen are not entitled to any additional sick leave, and the question is whether the demand of the workmen for sick leave with full pay is reasonable.

12. I have already stated the nature of the work being done by the employees. They are quarry workers and have to do the work such as drilling, blasting breaking the stone etc. This quarry industry is a recent development near about cities

and the labour is not organised and there are no previous settlements or awards or case law about the disputes between the employees in this industry and the managements. There are also no instances about terms of settlement in other quarries. There is no evidence to show that in any other concern of quarries in the region the employees are given the benefit of sick leave with pay. However, it is not in dispute that in other industries in the region the workmen are given sick leave and it is not an absolutely new demand. It can be considered to be an essential condition of service and in my opinion the demand is not unreasonable.

13. It is not in dispute that the management has not so far made available any medical facility to the employees. The provision of sickness benefit under the Mines Act is not applicable to the workers and in my opinion the demand is justifiable. The workers in other industries are entitled to the benefit of the ESIS scheme but the workers concerned in this reference have no such advantage and in my opinion they are entitled to get sick leave with pay.

14. Shri Balooch on behalf of the employers has argued that when employees are getting the benefit of the Workmen's Compensation Act granting them sick leave with pay will be an additional advantage to which they are not entitled. I have already observed that the parties have settled demand No. 2 about leave during injury and sick period. The management has agreed to give them leave in accordance with the provisions of the scheme under the workmen's Compensation Act, 1923. However it cannot be ignored that the provision granting certain benefits to the workmen under the Workmen's Compensation Act is for a different purpose. The Workmen's Compensation Act does not provide leave for ordinary sickness. Moreover other employees getting certain benefits under the Employees State Insurance Act which are known as sick benefits are still entitled to leave during sickness. It has been observed in the ruling reported in 1963 1 LLJ 108 (Hindustan Times Ltd., and their workmen):—

"It could not be contended that in view of provisions of Employees' State Insurance Act, 1948, no provision need be made about sickness leave at all in the cases of workmen getting benefits under the provisions of the said Act. It is difficult to see however how the benefit that the workmen will get under the Act could affect the question of sickness leave being provided for the workmen. This act does not provide any leave to the workmen on the ground of sickness. It provides in section 46(I)(a) for periodical treatment of any insured person in case of his sickness if certified by a duly appointed medical practitioner. It is however clear that in providing for periodical payments to an insured worker in case of sickness (sickness benefit) or for medical treatment or attendance to him or the members of his family the Legislature did not intend to substitute any of these benefits for the workmen's right to get leave on full pay on the ground of sickness."

However, I do not think that by agreeing to grant the benefit under the provisions of the Workmen's Compensation Act the employers are doing any favour to the workers as it is incumbent upon them to comply with the provisions of the Workmen's Compensation Act. Moreover it cannot be ignored that the benefits under the Workmen's Compensation Act are available to the employees only when there is an injury caused to the workmen by accident in the course of employment or he contracts any disease which is specified as an occupational disease peculiar to the employment. Demand No. 2 is in respect of half pay leave during injury or sick period while demand No. 5 is for general sick leave with pay. The two demands are different and considering the circumstances the demand is justifiable.

15. However, I do not think that granting 20 days sick leave will be proper. By the terms of settlement the management has already agreed to grant the workmen other leaves and in my opinion paid sick leave for a period of 7 days in a year will be reasonable and the workmen will be entitled to accumulate the sick leave upto 28 days. Hence my award accordingly.

No order as to costs.

(Sd.) A. T. ZAMBRE,
Presiding Officer,
Central Government Industrial Tribunal,
Bombay.

ANNEXURE 'A'

BEFORE SHRI A. T. ZAMBRE, PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE CGIT No. 7 of 1969

Employers in relation to:

M/s. Kherani Construction & Co. Bombay.

Versus

Their Workmen

May it please the Hon'ble Tribunal.

The parties to the above dispute beg to state that they have reached a partial settlement over the demands under reference and therefore it is prayed that Part-I Award may please be made in terms of the settlement.

Terms of Settlement

That all the workmen who are in the employment of M/s. Kherani Construction and Co. Bombay and who were on strike from 9th June, 1969 shall immediately resume their normal duties as and when they are called by the employers and they will be given the following rates of wages from the date of their resumption of duties.

S. No.	Category of workmen	Rates	
		Rs.	Ps.
1.	Topkar	5.25	per truck
2.	Driller	8.50	per day.
3.	Blaster	8.50	per day.
4.	Loader	3.15	per truck
5.	Loading/unloading	4.25	per truck
6.	Loading Rawali	2.25	per truck
7.	Crusher Feeder	2.25	per truck
8.	Oilman	4.75	per day.
9.	Unskilled Male Mazdoor	4.00	per day.
10.	Unskilled Female Mazdoor	3.50	per day.

This settlement shall come in force on the date of signing and shall remain binding upon the parties for a period of one year and shall continue to remain binding till it is terminated as required under the law.

Dated this 19th day of January 1970.

Representing Employees:

KRISHNA JOSHI,
Secretary,
Maharashtra Khan Kamgar Union,
Bombay.

Representing Employers.

SATTAR ISSA KHERANI,
Partner,
M/s. Kherani Construction & Co.
Bombay.

ANNEXURE 'B'

BEFORE SHRI A. T. ZAMBRE, PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL BOMBAY

REFERENCE CGIT No. 7 of 1969

Employers in relation to:—

M/s. Kherani Construction & Co., Bombay.

AND

The workmen employed under it

May it please the Hon'ble Tribunal,

The parties to the above dispute beg to state that they have reached a partial settlement over demand No. I mentioned in the Schedule to the reference, and, therefore, it is prayed that Part-I Award may please be made in terms of settlement.

Terms of Settlement

That all the workmen who are in the employment of M/s. Kherani Construction and Co., Bombay shall be paid the following revised wages with retrospective effect from 19th January, 1970.

Category	Existing rates of wages	Revised rates of wages
Topkar (Rawali)	Rs. 4.75 per truck	5.25 per truck
Driller	Rs. 7.50 per day	8.50 per day
Blaster	Rs. 7.50 Do.	8.50 per day
Loader	Rs. 2.87 per truck	3.15 per truck
Loading/Unloading	Rs. 3.75 per truck.	4.25 per truck.
Loading Rawali.	Rs. 1.87 per truck	2.25 Do.
Crusher Feeder.	Rs. 2.00 Do.	2.25 Do.
Oilman	Rs. 4.00 per day	4.75 per day
Unskilled Male Mazdoor	Rs. 3.00 Do.	4.00 Do.
Unskilled Female Mazdoor.	Rs. 2.31 Do.	3.50 Do.

In view of this settlement the demand of the union at serial No. I to the schedule of the order dated 1st December, 1969 is hereby fully satisfied and the union does not press for the said demand of raise in wages.

This settlement shall come in force on the date of signing and shall remain binding upon the parties for a period of 3 years and shall continue to remain binding till it is terminated as required under the law.

Dated this 8th day of July, 1970.

Representing Employees:

(Sd.) Shri G. R. KHANOLKAR,
Secretary,
Maharashtra Khan Kamgar Union,
Bombay.

Representing Employers:

(Sd.) Shri S. E. KHERANI, Partner,
M/s. Kherani Construction & Co.
Bombay.

ANNEXURE 'C'

BEFORE SHRI A. T. ZAMBRE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE CGIT No. 7 OF 1969

Dispute between the employer in relation to:—

M/s. Kherani Construction & Co.
Stone Metal & Building Materials
Suppliers (Quarry) Mohali Village,
Bombay-72.

AND

The workmen employed under the said company.

May it please the Hon'ble Tribunal.

The parties to the dispute have reached a partial settlement over the demands under reference and pray that an award may please be made in terms of the following settlement.

DEMAND NO. 3:—Casual Leave

It is agreed that all the workmen shall be granted 5 days casual leave with full wages each year. Casual leave of two days at a time shall be allowed to be availed of. Casual leave with prior permission shall be allowed to be prefixed or suffixed by a weekly off or any paid festival holiday.

DEMAND NO. 8:—Bonus

It is agreed that all the workmen shall be paid bonus at 6 per cent of the wages earned by the workmen during the relevant financial years commencing from 1964-65 to the year 1966-67.

It is further agreed that for the years 1967-68 upto the financial year 1970-71, the company further agrees to make payment of bonus to the workmen at the rate of 7 per cent of the total annual earnings earned by the workmen during the relevant financial years.

That the conditions stipulated under the provisions and demands in respect of which the parties have not been able to arrive at a settlement, will remain in operation for a period of three years and that it shall be terminated after the expiry of the said period.

That the settlement shall come into force from the date of signing of the same.

for Kherani Construction & Co.
Stone, Metal & Bldg., Materials
Suppliers (Quarry), Bombay.

for Maharashtra Khan
Kamgar Union, Bombay.

Bombay, dated 22nd February, 1971.

ANNEXURE 'D'

BEFORE SHRI A. T. ZAMBRE, PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE CGIT No. 7 OF 1969

Dispute between the employers in relation to:—

M/s. Kherani Construction & Co.
Stone Metal and Building Materials
Suppliers (Quarry).

AND

The workmen employed under the Company.

May it pleased the Honourable Tribunal,

The parties to the dispute have reached a partial settlement over the demands under reference and pray that an award may please made in terms of settlement.

Terms of Settlement

DEMAND NO. 1:—Rise in Wages.

It is agreed that all the workmen shall be paid their wages as per the settlement dated 19th January, 1970, which has been already filed before this Tribunal on 22nd January, 1970.

DEMAND NO. 2:—Half Pay Leave during injury or sick Period.

It is agreed that all the workmen shall be granted sick leave and paid wages during the period of sickness in accordance with the provisions and scheme under the Workmens' Compensation Act 1923.

DEMAND NO. 3:—12 days casual leave with full pay.

It is agreed that all the workmen shall be granted 5 days casual leave with wages during the courses of an year as per the settlement dated 22nd February, 1971 which has been already filed before this Tribunal on 22nd February, 1971.

DEMAND NO. 4:—33 days earned leave with full pay.

It is agreed that all the workmen shall be granted privilege Leave of 15 days with wages per year and the same shall be allowed to be accumulated up to 30 days.

DEMAND NO. 5:—20 days Sick Leave with full pay.

The parties to the Dispute will make their respective submissions before the Tribunal in favour or against the above said demand.

DEMAND NO. 6:—Dangerous Allowance.

This demand is withdrawn by the union with the liberty to raise proper and specific demand, if and when necessary.

DEMAND NO. 7:—Gratuity.

The management shall introduce the following Gratuity scheme with immediate effect.

(a) On death or disability or further incapacity to work due to injury or accident while in service of the Company.—15 days average wages for every completed year of continuous service.

(b) *On resignation termination or retrenchment after 10 years' continuous service.*—Same as clause (a) above.

(c) *On termination of service for any reason whatsoever after 7 years' continuous service.*—7 days average wages for every completed year of continuous service.

(d) *On termination of service for any reason whatsoever after 8 years of continuous service.*—7 days average wages for every completed year of continuous service.

(e) *On termination of service upto 10 years of continuous service for reasons whatsoever.*—7 days average wages for every completed year of continuous service.

(f) *On dismissed for misconduct as per clauses (c), (d) and (e) above.*—Subject to the condition that amount of financial loss caused to the employer due to such misconduct, shall be deducted out of the amount of gratuities.

The phrases or words "continuous Service", "average wages" and "completed year of service" used hereinabove shall have the same meaning as defined or enacted under Industrial Disputes Act 1947.

DEMAND NO. 8:—20 per cent Bonus from years 1962 to 1969.

That the demand of Bonus for the years 1962 and 1963 is hereby withdrawn. Bonus for the years 1964-65 to 1970-71 shall be paid to the workmen in accordance with settlement dated 22nd February, 1971, which has been already filed before the Tribunal.

DEMAND NO. 9:—Overtime.

All the workmen shall be paid overtime wages as per the provisions of Factories Act 1948.

This settlement shall come in force as per the terms agreed upon by the parties as per the settlements dated 19th January, 1970 and 22nd February, 1971 in respect of the demands mentioned in the above said settlement while rest of the terms shall come in force in the date of beginning of the settlement and remain in force for a period of 2½ years from the date of signing and shall remain in operation till it is terminated in accordance with the settlement.

Dated this 26th day of February, 1971.

S. E. KHERANI,
For Kherani Construction
& Co. Partner.

KRISHNA JOSHI,
For Maharashtra Khan
Kamgar Union, Bombay.
General Secretary.

[No. 36(48)/69-LR-IV.]

(Department of Labour and Employment)

ORDERS

New Delhi, the 19th December 1970

S.O. 1438.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the 52 collieries in Bihar specified hereunder in Schedule I and their workmen in respect of the matter specified in the Schedule II hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE I

S. No.	Name of the Colliery.
--------	-----------------------

- | | |
|----|---|
| 1. | Central Joyramdih Colliery, P.O. Nawagarh (Dhanbad). |
| 2. | Junkundar Colliery, P.O. Chirkunda (Dhanbad). |
| 3. | Central Kooridih Colliery, P.O. Katrasgarh (Dhanbad). |
| 4. | Central Kujama Colliery, P.O. Jharia (Dhanbad). |
| 5. | Dhori Colliery, P.O. Bermo (Hazaribagh). |

S. No.	Name of the Colliery
6.	Huriladih Colliery, P.O. Bhutgoria (Dhanbad).
7.	Jealgora Govindpur Colliery, P.O. Katrasgarh (Dhanbad).
8.	Junkundar Colliery, P.O. Chirkunda (Dhanbad).
9.	Khas Bhagatdih Colliery, P.O. Jharia (Dhanbad).
10.	New Standard Lodna Colliery P.O. Jharia (Dhanbad).
11.	Khas Dharmaband Colliery, P.O. Malkera (Dhanbad).
12.	Liberty Colliery, P.O. Dhansar (Dhanbad).
13.	North Domoda Colliery, P.O. Nudkhurkee (Dhanbad).
14.	New Bansjora Colliery, P.O. Bansjora (Dhanbad).
15.	New Lakurka Colliery, P.O. Katrasgarh (Dhanbad).
16.	New Selected Dhori Colliery, P.O. Bermo (Hazaribagh).
17.	Selected Jharia Colliery, P.O. Jharia (Dhanbad).
18.	Bhalgora Colliery, P.O. Jharia (Dhanbad).
19.	Dhansar Colliery of M/s. Dhansar Coal Company Limited, P.O. Dhansar (Dhanbad).
20.	Patherdih Colliery, P.O. Patherdih (Dhanbad).
21.	Dhansar Colliery of M/s. Pure Dhansar Coal Company, P.O. Dhansar (Dhanbad).
22.	Kalithan Jeenagora Colliery, P.O. Khas Jeenagora (Dhanbad).
23.	Diamond Tisra Colliery, P.O. Khas Jeenagora (Dhanbad).
24.	Pure Selected Goluckdih Colliery, P.O. Jharia (Dhanbad).
25.	Union Angarpathra Colliery, P.O. Ejua (Dhanbad).
26.	Sitanala Colliery, P.O. Patherdih (Dhanbad).
27.	Simla Bahal Colliery, P.O. Jharia (Dhanbad).
28.	South Tisra Colliery, P.O. Khas Jeenagora (Dhanbad).
29.	New Jeenagora Colliery, P.O. Khas Jeenagora (Dhanbad).
30.	Tisra Colliery of M/s. Dhanji Deoji, P.O. Khas Jeenagora (Dhanbad).
31.	Lower Upper Jharia Colliery, P.O. Jharia (Dhanbad).
32.	Central Goluckdih Colliery, P.O. Jharia (Dhanbad).
33.	Victory Colliery, P.O. Dhansar (Dhanbad).
34.	West Katrasgarh Colliery, P.O. Katrasgarh (Dhanbad).
35.	Barora Colliery, P.O. Nudkhurkee (Dhanbad).
36.	Central Keshalpur Colliery, P.O. Katrasgarh, (Dhanbad).
37.	Jharia Khas Colliery, P.O. Jharia (Dhanbad).
38.	Kalyani Selected Kargali Colliery, P.O. Bermo (Hazaribagh).
39.	Pipradih Colliery, P.O. Gomia (Hazaribagh).
40.	Mohriband Kujama Colliery, P.O. Jharia (Dhanbad).
41.	Ganji Dossa Kujama Colliery, P.O. Jharia (Dhanbad).
42.	Pandebera Central Kujama Colliery, P.O. Jharia (Dhanbad).
43.	Pure Bhuggatdih Colliery, P.O. Jharia (Dhanbad).
44.	Sonardih Colliery P.O. Katrasgarh (Dhanbad).
45.	National Angarpathra Colliery, P.O. Katrasgarh (Dhanbad).
46.	Katras New Colliery, P.O. Katrasgarh (Dhanbad).
47.	Khas Dhori Colliery, P.O. Bermo (Hazaribagh).
48.	Selected Dhori Colliery, P.O. Bermo (Hazaribagh).
49.	West Gopalichuck Colliery, P.O. Kusunda (Dhanbad).
50.	Maheshpur Colliery, P.O. Katrasgarh (Dhanbad).
51.	Sinidih Colliery, P.O. Katrasgarh (Dhanbad).
52.	Ambapocha Colliery, P.O. Bermo (Hazaribagh).

SCHEDULE II

"Whether the action of the managements of the Collieries in Bihar (specified in Schedule I) in refusing the demands of the Colliery Mazdoor Sangh, Dhanbad, Koyla Mazdoor Panchayat, Jharia, Bihar Koyla Mazdoor Sabha, Dhanbad and Central Alkusa (Gondudih) Colliery Workers Union, Post Office Kusunda, District Dhanbad for implementation of the accepted recommendations of the Coal Wage Board regarding wages, dearness allowance, annual increments, categorisation, sick benefits and payment of back wages arising out of delayed or partial implementation of the accepted recommendations of the Coal Wage Board is justified? If not, to what relief are the workmen entitled?"

(श्रम और रोजगार विभाग)

आदेश

नई दिल्ली, 19 दिसम्बर, 1970

का० प्रा० 1438.—यतः केन्द्रीय सरकार की राय है कि इससे उपायद्व अनुसूची 2 में विनिर्दिष्ट विषयों के बारे में अनुसूची 1 में विनिर्दिष्ट बिहार की 52 कोलियरियों से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक, अधिकरण, (संख्या 2), धनवाद को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची 1

क्रमांक	कोलियरी का नाम
1	2
1	सेन्द्रल जयराम डिह कोलियरी, पो० ओ० नावागढ़ (धनवाद)
2	सेन्द्रल किरकेंद कोलियरी, पो० ओ० कुसुन्डा (धनवाद)
3	सेन्द्रल कुरीडिह कोलियरी, पो० ओ० कतरासगढ़ (धनवाद)
4	सेन्द्रल कुजमा कोलियरी, पो० ओ० झरिया (धनवाद)
5	धोरी कोलियरी, पो० ओ० बेरमो (हजारीबाग)
6	हुरिलाडिह कोलियरी, पो० ओ० भुतगोरिया (धनवाद) ।
7	जीलगोरा गोविन्दपुर कोलियरी, पो० ओ० कतरासगढ़ (धनवाद) ।
8	जनकुन्धार कोलियरी, पो० ओ० चिकुन्डा (धनवाद) ।
9	खास भुगतडिह कोलियरी, पो० ओ० झरिया (धनवाद) ।
10	न्यू स्टैंडर्ड लोदना कोलियरी, पो० ओ० झरिया (धनवाद) ।
11	खास धरमबंघ कोलियरी, पो० ओ० मनकेरा (धनवाद) ।
12	लिबर्टी कोलियरी, पो० ओ० धनसर (धनवाद) ।
13	नोर्थ डोमोडा कोलियरी, पो० ओ० नुडखुर्की, (धनवाद) ।
14	बंसजोरा पो० ओ० बंसजोरा (धनवाद) ।
15	न्यू लकुररफा कोलियरी, पो० ओ० कतरासगढ़ (धनवाद) ।
16	न्यू सेलेक्टेड धोरी कोलियरी, पो० ओ० बेरमो (हजारीबाग) ।
17	सेलेक्टेड झरिया कोलियरी, पो० ओ० झरिया (धनवाद) ।
18	मलगोरा कोलियरी, पो० ओ० झरिया (धनवाद) ।
19	धनसर कोलियरी आफ मैसर्स धनसर कोल कम्पनी लिमिटेड, पो० ओ० धनसर (धनवाद) ।
20	पाथरडिह कोलियरी, पो० ओ० पाथरडिह (धनवाद) ।

- 21 धनसर कोलियरी आफ मैसर्स प्योर धनसर कोल कम्पनी पो० ओ० धनसर (धनबाद) ।
- 22 कालीथान जीनागोरा कोलियरी, पो० ओ० खास जीनागोरा (धनबाद) ।
- 23 डाइमंड तिसरा कोलियरी, पो० ओ० खास जीनागोरा (धनबाद) ।
- 24 प्योर सेलेक्टेड गोलुकडिह कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 25 यूनियन अंगरवाथरा कोलियरी, पो० ओ० सिजुवा (धनबाद) ।
- 26 सितानाला कोलियरी, पो० ओ० पाथरडिह (धनबाद) ।
- 27 सिमला बहल कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 28 साउथ तिसरा कोलियरी, पो० ओ० खास जीनागोरा (धनबाद) ।
- 29 न्यू जागागोरा कोलियरी, पो० ओ० खास जीनागोरा (धनबाद) ।
- 30 सीतरा कोलियरी आफ मैसर्स धनजी उग्रोजी, पो० ओ० खास जीनागोरा (धनबाद) ।
- 31 लोअर अपर झरिया कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 32 सेन्ट्रल गोलुकडिह कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 33 विक्टरी कोलियरी पो० ओ० धनसर (धनबाद) ।
- 34 बेस्ट कतरासगढ़ कोलियरी, पो० ओ० कतरासगढ़ (धनबाद) ।
- 35 बरोरा कोलियरी, पो० ओ० नुडखुर्की (धनबाद) ।
- 36 सेन्ट्रल केशलपुर कोलियरी, पो० ओ० कतरासगढ़ (धनबाद) ।
- 37 झरिया खास कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 38 कल्याणी सेलेक्टेड करगली कोलियरी, पो० ओ० बेरमो (हजारीबाग) ।
- 39 पिपराडिह कोलियरी, पो० ओ० गोमिया (हजारीबाग) ।
- 40 मोहरीबंघ कुजमा कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 41 गनजी डोसा कुजमा कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 42 पन्डबेरा सेन्ट्रल कुजमा कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 43 प्योर भुगतडिह कोलियरी, पो० ओ० झरिया (धनबाद) ।
- 44 सोनारडिह कोलियरी, पो० ओ० कतरासगढ़ (धनबाद) ।
- 45 नेशनल अंगरवाथरा कोलियरी, पो० ओ० कतरासगढ़ (धनबाद) ।
- 46 कतरास न्यू कोलियरी, पो० ओ० कतरासगढ़ (धनबाद) ।
- 47 खास धोरी कोलियरी, पो० ओ० बेरमो (हजारीबाग) ।
- 48 सेलेक्टेड धोरी कोलियरी, पो० ओ० बेरमो (हजारीबाग) ।
- 49 वैस्ट गोपालचुक् कोलियरी, पो० ओ० कुसुन्डा (धनबाद) ।
- 50 महेशपुर कोलियरी, पो० ओ० कतरासगढ़ (धनबाद) ।
- 51 सिनिडिह कोलियरी, पो० ओ० कतरासगढ़ (धनबाद) ।
- 52 अम्बापोचा कोलियरी, पो० ओ० बेरमो (हजारीबाग) ।

अनुसूची 2

“क्या मजदूरी महंगाई भत्ते, वार्षिक वेतन-वृद्धियों, प्रवर्गीकरण, बीमारी प्रसुधियों के सम्बन्ध में और कोयला मजदूरी बोर्ड की स्वीकृत सिफारिशों के विलम्बित या आंशिक कार्यान्वयन से उत्पन्न पिछली मजदूरी के संशय के सम्बन्ध में कोयला मजदूरी बोर्ड की स्वीकृत सिफारिशों को कार्यान्वित करने की मजदूर संघ, धनबाद, कोयला मजदूर पंचायत, झरिया, बिदूर कोयला मजदूर सभा धनबाद और सेन्ट्रल अल्लुसा (गोडडीह) कोलियरी

वर्कस यूनियन पोस्ट आफिस कुंडा, जिला धनबाद का मजदूरों की मो नामंजूर करने की बिहार न की (अनुसूची 1 में विनिर्दिष्ट) कोलियरिज के प्रबन्धनतन्त्रों की कार्यवाही न्यायोचित है ? यदि नहीं तो कर्मकार किस अनुतोष के हकदार हैं ।

[संख्या 1/23/69-एल० ग्रार० 2]

New Delhi, the 6th January 1971

S.O. 1439.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post Office Jharia, District Dhanbad, and their workman Shri Mithu Singh in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2) Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post Office Jharia, District Dhanbad, in terminating the services of Shri Mithu Singh, Night Guard with effect from the 16th July, 1970 is justified? If not, to what relief the workman is entitled?"

[No. 2/179/70-LR.II.]

नई दिल्ली, 6 जनवरी 1971

का० ग्रा० 1439—यतः केन्द्रीय सरकार की राय है कि इससे उपायद्वय अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स डायमण्ड कोल कम्पनी लिमिटेड, डाकघर, झरिया, जिला धनबाद की तिसरा कोलियरी के प्रबन्धनतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकार श्री मिथु सिंह के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम, की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 2), धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या मैसर्स डायमण्ड कोल कम्पनी लिमिटेड, डाकघर, झरिया, जिला धनबाद की तिसरा कोलियरी के प्रबन्धनतन्त्र की श्री मिथु सिंह, रात्रि गार्ड की 16 जलाई 1970 से सेवाएँ समाप्त करने की कारवाई न्यायोचित है ? यदि नहीं, तो कर्मकार किस किस अनुतोष का हकदार है ?"

[सं० 2/179/70—एल० ग्रार०—2]

New Delhi, the 11th January 1971

S.O. 1440.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Nowroza-bad Colliery of Associated Cement Company Limited, Post Office Nowrozabad Colliery, District Shahdol (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Nowrozabad Colliery of Associated Cement Company Limited, Post Office Nowrozabad Colliery, District Shahdol, in refusing sick leave wages to their Badli workers is justified? If not, to what relief the said workers are entitled?"

[No. 1/59/70-LRII.]

नई दिल्ली, 11 जनवरी, 1971

का० आ० 1440—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में एसोसिएटेड सीमेंट कम्पनी लिमिटेड, डाकघर नौरोजाबाद कोलियरी, जिला शहडोल (मध्य प्रदेश) की नौरोजाबाद कोलियरी के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या एसोसिएटेड सीमेंट कम्पनी लिमिटेड, डाकघर नौरोजाबाद कोलियरी, जिला शहडोल की नौरोजाबाद कोलियरी के प्रबन्धतन्त्र के अपने बदली श्रमिकों को बीमारी छुट्टी की मजदूरी देने से इनकार करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो उक्त कर्मकार किस अनुतोष के हकदार हैं ?"

[संख्या 1/59/70-एल० आर० 2]

New Delhi, the 13th January 1971

S.O. 1441.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Amlabad Colliery of Messrs Oriental Coal Company Limited, Post Office Bhowra, Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

- (1) Whether the action of the management of Amlabad Colliery of Messrs Oriental Coal Company Limited Post Office Bhowra (Dhanbad) in terminating the service of Shri Gobardhan Chatterjee, Shot-firer Mazdoor with effect from the 24th April, 1970 is justified? If not, to what relief the concerned workman is entitled?
- (2) Whether the action of the Management of Amlabad Colliery of Messrs Oriental Coal Company Limited, Post Office Bhowra (Dhanbad) in stopping Shri Thakur Das Mahato, Electric Cap Lamp Fitter from work with effect from the 16th July, 1970 is justified? If not, to what relief the concerned workman is entitled?

[No. 2/175/70-LRII.]

नई दिल्ली, 13 जनवरी, 1971

का० आ० 1441.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स आरियटल कोल कम्पनी लिमिटेड, डाकघर भौरा, धनबाद की ग्रामलाबाद कोलियरी के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निदर्शित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, (संख्या 2) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

“क्या मैसर्स आरियटल कोल कम्पनी लिमिटेड, डाकघर भौरा (धनबाद) की ग्रामलाबाद कोलियरी के प्रबन्धतन्त्र की श्री गोबर्धन चटर्जी, शाट फायरर मजदूर की सेवा को 24 अप्रैल, 1970 से पर्यवसित करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो सम्बन्धित कर्मकार किस अनतोष का हकदार है ।

क्या मैसर्स आरियटल कोल कम्पनी लिमिटेड, डाकघर भौरा (धनबाद) के प्रबन्धतन्त्र की श्री ठाकुर दास महतो, इलेक्ट्रिक कैप लैम्प फिटर को 16 जुलाई 1970 से काम करने से रोकने की कार्यवाही न्यायोचित है, यदि नहीं, तो सम्बन्धित कर्मकार किस अनतोष का हकदार है ?

[संख्या 2/178/70-एल० आर० 2]

New Delhi, the 26th March 1971

S.O. 1442.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of New Govindpur Colliery, Post Office Katrasgarh, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2) Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

“Whether the action of the management of the New Govindpur Colliery, Post Office Katrasgarh, District Dhanbad, in retaining the following 96 miners with effect from the 10th June, 1968 in 5 Bottom incline in view of the prevailing working conditions there, is justified? If not, to what relief are the workmen concerned entitled?”

Sl. No.	Name of worker	Designation
1.	Sri Bara Kishun Chamar	Miner
2.	„ Brihaspatia Chamar	-do-
3.	„ Dhanjia Chamar	-do-
4.	„ Vishwnath Chamar	-do-
5.	„ Mukund Turi	-do-
6.	„ Lakhia Kumhar	-do-
7.	„ Chhota Mangal Chamar	-do-
8.	„ Mouji Chamar	-do-

SR. No.	Name of worker	Designation
9.	Sri Shyamlal Chamar	-do-
10.	" Panchu Chamar	-do-
11.	" Bikho Chamar	-do-
12.	" Bara Moti Chamar	-do-
13.	" Bara Banwari Chamar	-do-
14.	" Mitho Chamar	-do-
15.	" Bara Sukhdeo Chamar	-do-
16.	" Lalji Chamar	-do-
17.	" Chandulal Manjhi	-do-
18.	" Mangal Mahto	-do-
19.	" Khagu Mahto	-do-
20.	" Jairam Mahto	-do-
21.	" Toppa Mahto	-do-
22.	" Ledo Mahto, S/o Jado Mahto	-do-
23.	" Bhukhal Mahto	-do-
24.	" Janki Mahto	-do-
25.	" Mohan Mahto	-do-
26.	" Shyamlal Mahto	-do-
27.	" Raghunath Mahto	-do-
28.	" Govind Mahto	-do-
29.	" Ganesh Mahto	-do-
30.	" Hari Singh	-do-
31.	" Pyari Dhobi	-do-
32.	" Bihari Dhobi	-do-
33.	" Rameshwar Dhobi	-do-
34.	" Dillawar Mia	-do-
35.	" Haiyat Mia	-do-
36.	" Jilku Chamar	-do-
37.	" Etwari Chamar	-do-
38.	" Ch. Moti Chamar	-do-
39.	" Ch. Bhuden Chamar	-do-
40.	" Ch. Sukar Chamar	-do-
41.	" Nanhu Chamar	-do-
42.	" Ch. Kishan Chamar	-do-
43.	" Ch. Banwari Chamar	-do-
44.	" Kamdeo Chamar	-do-
45.	" Chhedi Chamar No. 2	-do-
46.	" Doman Chamar	-do-
47.	" Br. Banshi Chamar	-do-
48.	" Kheman Chamar	-do-
49.	" Chh. Chotu Chamar	-do-
50.	" Parmeshwar Chamar	-do-
51.	" Ratan Chamar	-do-
52.	" Br. Ruplal Chamar	-do-
53.	" Balki Chamar	-do-
54.	" Suku Chamar	-do-
55.	" Rupan Chamar	-do-
56.	" Bhikhari Chamar	-do-
57.	" Meghan Chamar	-do-
58.	" Pandu Chamar	-do-
59.	" Ch. Sarju Chamar	-do-
60.	" Bholu Chamar	-do-
61.	" Kharhee Mahto	-do-
62.	" Br. Ruplal Chamar	-do-
63.	" Puran Chamar	-do-
64.	" Jogeshwar Chamar	-do-
65.	" Chhedi Chamar	-do-
66.	" Debi Chamar	-do-
67.	" Gopal Chamar	-do-
68.	" Puna Chamar	-do-
69.	" Sambhu Bowri	-do-
70.	" Hari Bowri	-do-
71.	" B. Banoo Chamar	-do-
72.	" Madhuwa Chamar	-do-
73.	" Ledwa Chamar	-do-
74.	" Ghunia Chamar	-do-
75.	" Chh. Somra Chamar	-do-
76.	" Latlaha Chamar	-do-

Sl. No.	Name of worker	Designation
77.	Sri Budhwa Chamar	Miner
78.	" Jharia Chamar	-do-
79.	" Kiti Chamar	-do-
80.	" Bhakru Chamar	-do-
81.	" Br. Churaman Mahto	-do-
82.	" Banulal Das	-do-
83.	" Chh. Jagroo Chamar	-do-
84.	" Bara Mangra Chamar	-do-
85.	" Haria Chamar	-do-
86.	" Degwa Chamar, S/o Pilia Chamar	-do-
87.	" Tekba Chamar, S/o Manika Chamar	-do-
88.	" Ch. Ruplal Chamar	-do-
89.	" Indra Chamar	-do-
90.	" Thakur Manjhi	-do-
91.	" Benga Bowri	-do-
92.	" Jhamta Chamar	-do-
93.	" Ramlal Chamar	-do-
94.	" Churaman Chamar	-do-
95.	" Mohan Chamar	-do-
96.	" Prasadi Chamar	-do-

[No. 2/135/68-LR.II.]

KARNAIL SINGH, Under Secy.

नई दिल्ली, 26 मार्च 1971

का० प्र० 1442.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में न्यू गोविन्दपुर, कोलियारी, डाकघर कतरसगढ़, जिला धनबाद के प्रबन्धतंत्र से संबद्ध नियोक्ताओं और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और, यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (नं० 2) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

“क्या न्यू गोविन्दपुर, कोलियारी, डाकघर, कतरसगढ़, जिला धनबाद के प्रबन्धतंत्र द्वारा निम्नलिखित 96 खनिकों को 10 जून, 1968 से बाटम इन्क्लाइन, में, वहाँ व्याप्त काम की दशाओं को ध्यान में रखती हुई काम पर लगाए रखना न्यायोचित समझती है ? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष के हकदार हैं ?

क्रमांक	श्रमिक का नाम	खनिक
1	2	3
1	श्री बाराकिसुन चमार	खनिक
2	„ बृहस्पतिथा चमार	खनिक
3	„ धनजिया चमार	„
4	„ विश्वनाथ चमार	„

1	2	3
5	श्री मुकुन्द तुरी	खनिक
6	„ लखिया कुम्हार	„
7	„ छोटा मंगल चमार	„
8	„ मौजी चमार	„
9	„ श्याम लाल चमार	„
10	„ पंचू चमार	„
11	„ भिखो चमार	„
12	„ बारा मोती चमार	„
13	„ बारा बनवारी चमार	„
14	„ मिठो चमार	„
15	„ बारा सुखदेव चमार	„
16	„ लालजी चमार	„
17	„ चन्डूलाल माझी	„
18	„ श्री मंगल महतो	„
19	„ खागू महतो	„
20	„ जयराम महतो	„
21	„ टोप्पा महतो	„
22	„ लेडो महतो सुपुत्र श्री जाबो महतो	„
23	„ भूखल महतो	„
24	„ जानकी महतो	„
25	„ मोहन महतो	„
26	„ श्यामलाल महतो	„
27	„ रघनाथ महतो	„
28	„ गोविन्द महतो	„
29	„ गनेश महतो	„
30	„ हरि सिंह	„
31	„ प्यारी धोबी	„
32	„ बिहारी धोबी	„
33	„ रामेश्वर धोबी	„
34	„ विलावर मिया	„
35	„ हैयात मिया	„
36	„ जिल्कू चमार	„
37	„ इतवारी चमार	„
38	„ चौधरी मोती चमार	„
39	„ चौधरी भुवन चमार	„
40	„ चौधरी सुकर चमार	„
41	„ नन्हू चमार	„
42	„ चौधरी किशन चमार	„

1	2	3
43	श्री चौधरी बनवारी चमार	खनिक
44	„ कामदेव चमार	„
45	„ खेदी चमार नं० 2	„
46	„ डोमन चमार	„
47	„ ब्र० बंसी चमार	„
48	„ खेमन चमार	„
49	„ चौधरी छोटू चमार	„
50	„ परमेश्वर चमार	„
51	„ रतन चमार	„
52	„ ब्र० रूपलाल चमार	„
53	„ बाल्कीचमार	„
54	„ सूकू चमार	„
55	„ रूपन चमार	„
56	„ भिखारी चमार	„
57	„ मेघन चमार	„
58	„ पान्डू चमार	„
59	„ चौधरी सरजू चमार	„
60	„ भोरा चमार	„
61	„ खाड़ी महतो	„
62	„ बी० छोटू चमार	„
63	„ पूरन चमार	„
64	„ जोगेश्वर चमार	„
65	„ छेदी चमार	„
66	„ देवी चमार	„
67	„ गोपाल चमार	„
68	„ पूना चमार	„
69	„ सम्भू बोवरी	„
70	„ हरि बोवर	„
71	„ बी० बनू चमार	„
72	„ सधुवा चमार	„
73	„ लेडवा चमार	„
74	„ धुनिया चमार	„
75	„ चौधरी सोमारा चमार	„
76	„ लतलहा चमार	„
77	„ वृधवा चमार	„
78	„ झरिया चमार	„
79	„ लाली चमार	„
80	„ भक्तिरू चमार	„

1	2	3
81	श्री बी० चूरामन महतो	खनिक
82	„ बनूलाल दास	„
83	„ चौधरी झगरू चमार	„
84	„ बारा मंगरा चमार	„
85	„ हरिया चमार	„
86	„ देगवा चमार सुपुत्र श्री पीलया चमार	„
87	„ तेकवा चमार सुपुत्र मनिका चमार	„
88	„ चौधरी रूपलाल चमार	„
89	„ इन्द्र चमार	„
90	„ ठाकुर मांझी	„
91	„ बेनगा बोधरी	„
92	„ झमटा चमार	„
93	„ राम लाल चमार	„
94	„ चूरामन चमार	„
95	„ मोहन चमार	„
96	„ प्रसादी चमार	„

[सं० 2/135/68--एल० आर०-2]

करनैस सिंह,

अवर सचिव, भारत सरकार ।

(Department of Labour and Employment)

ORDER

New Delhi, the 19th February 1971

S.O. 1443.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Bikaner Gypsum Limited, Bikaner and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A of clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri Gopal Narain Sharma, as Presiding Officer with headquarters at Jaipur and refers the said dispute for adjudication to the Industrial Tribunal.

SCHEDULE

Whether the claim of the Bikaner Gypsum Mazdoor Union, Bikaner that Sarvashri B. S. Thapa, N. R. Ghos, Veer Bahadur, A. K. Biswas and N. C. Shukla, all Supervisors and Shri N. R. Chakravorty, Shot Filer are entitled to officiating allowance in the grade of Senior Clerks for the period they were posted to Operate the Weigh Bridge at the Jamsar Unit of Bikaner Gypsum Limited, Bikaner is justified? If so, for what period and at what rate?

[No. 30(7)/70-LR-IV.]

U. MAHABALA RAO, Dy. Secy.

(अन और रोजगार विभाग) ।

अ.देश

नई दिल्ली, 19 फरवरी, 1971

का० आ० 1443.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स बीकानेर जिप्सम लिमिटेड, बीकानेर के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री गोपाल नारायण शर्मा होंगे, जिनका मुख्यालय जयपुर होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है ।

अनुसूची

“क्या बीकानेर जिप्सम मजदूर यूनियन, बीकानेर का यह दावा है कि सर्वश्री बी० एस० थापा, एन० आर० घोष, वीर बहादुर, ए० के० बिस्वास, और एन० सी० शुक्ला, सभी पर्यवेक्षक, और श्री एन० आर० चक्रवर्ती, शाट फायरर उस अवधि के लिए ज्येष्ठ क्लर्कों के ग्रुप में स्थापनापन्न भत्ते के हकदार हैं, जब उन्हें बीकानेर जिप्सम लिमिटेड बीकानेर की जामसर एकक में बें ब्रिज को चलाने के लिए तैनात किया गया था, न्यायोचित है । यदि हाँ, तो किस अवधि के लिए और किस दर पर ?”

[संख्या 30(7)/70-एल० आर० 4]

यू० महाबाला राव, उप सचिव,

(Department of Labour and Employment)

ORDER

New Delhi, the 27th January 1971

S.O. 1444.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Oil India Limited, Duliajan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri G. N. Borah as Presiding Officer with headquarters at Dibrugarh and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Oil India Limited, Dullajan, in dismissing the following thirteen workmen is justified? If not, to what relief are the workmen concerned entitled to from the dates of their dismissal?

Sl. No.	Name of the worker.	Registered Number.
1.	Shri P. M. Dey	9/0145
2.	Shri J. C. Baruah	9/2375
3.	Shri P. C. Sharma	9/1540
4.	Shri D. K. Sharma	9/2216
5.	Shri A. K. Bose	9/0810
6.	Shri Mahatab Singh	9/1319
7.	Shri Mishil Gohain	9/2289
8.	Shri Dharmeswar Dutta.	9/2335
9.	Shri Binod Kumar Roy	9/1244
10.	Shri Narsingloo	9/1339
11.	Shri Bishnupada Das	9/2246
12.	Shri S. K. Basu	9/1597
13.	Shri N. N. Sharma.	9/3186

[No. 25(9)/68-LRII (LRIV.)]

P. C. MISRA, Dy. Secy.

(श्रम और रोजगार विभाग)

प्रवेश

नई दिल्ली, 27 जनवरी, 1971

क्र० अ/० 1444- यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में आयाल इंडिया लिमिटेड, दुलियाजन के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जी० एन० बोराह होंगे, जिनका मुख्यालय डिब्रूगढ़ होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

“क्या आयाल इंडिया लिमिटेड, दुलियाजन के प्रबन्धतंत्र की निम्नलिखित 13 कर्मकारों को पदच्युत करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो सम्बन्धित कर्मकार अपनी पदच्युति की तारीख से किस अनुतोष के हकदार हैं ?”

क्रमांक	कर्मकार का नाम	रजिस्ट्रीकृत संख्या
1	श्री पी० एम० डे	9/0145
2	श्री जे० सी० बरुआ	9/2375
3	श्री पी० सी० शर्मा	9/1540

क्रमांक	कर्मकार का नाम	रजिस्ट्रीकृत संख्या
4	श्री डी० के० शर्मा	9/2216
5	श्री ए० के० बोस	9/0810
6	श्री महताब सिंह	9/1319
7	श्री मिशिल गोहायन	9/2289
8	श्री धर्मेश्वर दत्त	9/2335
9	श्री बिनोद कुमार राय	9/1244
10	श्री नरसिंहलू	9/1339
11	श्री बिष्णुपद दास	9/2246
12	श्री एस० के० बासु	9/1597
13	श्री एन० एन० शर्मा	9/3186

[संख्या 25(9)/68-एल० आर०-2 (एल० आर० 4)]

पी० सी० मिश्र, उप सचिव ।

(Department of Rehabilitation)

(Office of the Regional Settlement Commissioner)

New Delhi, the 15th January 1971

S.O. 1445.—In exercise of the powers vested in me under Sub-Section (2) of Section 24 of the Administration of Evacuee Property Act, 1950 (Act XXXI of 1950), I, Gulab L. Ajwani, Regional Settlement Commissioner-Cum-Custodian of Evacuee Property, Delhi hereby delegate to Shri G. P. Jaggi, Deputy Custodian in my office, powers to hear appeals presented to the Custodian under Sub-Section 24(1)(a) of the A.E.P. Act, 1950 against the orders passed by Assistant Custodian with effect from 16th November, 1970 (A.N.).

[No. F. 29(219)/Admn/RSCD.]

GULAB L. AJWANI,

Regional Settlement Commissioner.
Cum Custodian of Evacuee Property.

(पुनर्वासि विभाग)

(प्रादेशिक बन्दोबस्त आयुक्त कार्यालय)

नई दिल्ली 16-जनवरी 1971

एस० ओ० 1445—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम 1950 (अधिनियम 1950 के XXXI के भाग 24 के उपभाग 2 की प्रदत्त शक्तियों का प्रयोग करते हुए मैं श्री गुलाब एल० अजवानी, प्रादेशिक बन्दोबस्त आयुक्त, सहित निष्क्रान्त सम्पत्ति अभिरक्षक दिल्ली, श्री जी० पी० जग्गी को जो कि मेरे कार्यालय में सहायक निष्क्रान्त सम्पत्ति अभिरक्षक के पद पर कार्य कर रहे हैं अपनी उन शक्तियों का 16-11-70 (अपराहन) से प्रयोग करने का अधिकार दिया है जो कि अभिरक्षक को निष्क्रान्त सम्पत्ति प्रशासन अधिनियम 1950 के उपभाग 24(1) (ए) के अन्तर्गत प्रदान की गई है ताकि वे उन प्रार्थनाओं को सुन सकें तथा फैसले कर सकें जो कि सहायक अभिरक्षक के फैसले के विरुद्ध की गई हो ।

(सं० 29(219)/एडमिन/आर० एस० सी० डी०)

गुलाब० एल० अजवानी,
प्रादेशिक बन्दोबस्त आयुक्त
सहित निष्क्रान्त सम्पत्ति अभिरक्षक ।

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 19th March 1971

S.O. 1446.—Whereas the Election Commission is satisfied that Shri Sesha Chary K. H. No. 3-2-39, Kashiguda, Hyderabad (Andhra Pradesh), a contesting candidate for the bye-election to the Andhra Pradesh Legislative Assembly from 208-Khairatabad constituency, held in 1970 has failed to lodge

an account of his election expenses at all required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after the due notice has not given any reason or explanation for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sesha Chari K. to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/208/70 Bye.]

By order,

ROSHAN LAL, Secy.

भारत निर्वाचन आयोग

आदेश

नई दिल्ली 19 मार्च, 1971

यतः, निर्वाचन आयोग का समाधान हो गया है कि आंध्र प्रदेश विधान सभा के लिए 1970 में हुए उप निर्वाचन के लिए 208 खैराताबाद निर्वाचन क्षेत्र से निर्वाचन लड़ने वाले उम्मीदवार श्री सेशा-चारी के०, मकान नं० 3/2/39, काचीगुडा, हैदराबाद (आंध्र प्रदेश), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अनेकित अपने निर्वाचन व्ययों को कोई भी लेखा दाखिल करने में असफल रहे हैं ;

2. और यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिए जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है ;

3. अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री सेशाचारी के० को संसद के दोनों सदनों से किसी भी सदन के या किसी राज्य को विधान सभा अथवा विधान परिषदों के सदस्य चुने जाने और होने के लिए, इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित कोषित करता है ।

[संख्या आ० प्र० वि० सं० 208/70-उप]

आदेश से,

रोशन लाल, सचिव

VICE PRESIDENT'S SECRETARIAT

New Delhi, the 10th March 1971

S.O. 1447.—In exercise of the powers conferred by Section 10 of the Punjab University Act, 1947, the Chancellor of the Punjab University, Chandigarh, is pleased to extend the term of Shri Suraj Bhan as Vice-Chancellor of the Punjab

University for a period of three years with effect from the 1st July, 1971, on the existing terms and conditions.

[No. VPS/PU/70/11672.]

V. D. PHADKE, Secy.

उप-राष्ट्रपति सचिवालय

नई दिल्ली, 10 मार्च 1971

एस० ओ० 1347—भारत के उप-राष्ट्रपति, पंजाब विश्वविद्यालय, चन्डीगढ़ के कुलधिपति की हैसियत से पंजाब विश्वविद्यालय के अधिनियम, 1947 की धारा 10 में दिये गये अधिकार का प्रयोग करते हुए पंजाब विश्वविद्यालय के कुलपति श्री सूरजभान की सेवा-काय की जम्रवधि में, वर्तमान नियमों और शर्तों के आधार पर प्रसन्नतापूर्वक 1 जलाई, 1 71 से तीन साल की वृद्धि करते हैं ।

[नं० बी पी एस/पी यू/71/11672]

बि० फड़के, सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 18th March 1971

S.O. 1448.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution and of all other powers enabling him in this behalf, the President, with the consent of the Government of Himachal Pradesh, hereby entrusts to that Government, the functions of the Central Government (i) under section 5 of the Passport (Entry into India) Act, 1920 (34 of 1920); (ii) under rules 2 and 4 of the Passport (Entry into India) Rules, 1950; (iii) under rule 3 of the Registration of Foreigners Rules, 1939; (iv) in making orders of the nature specified in clauses (a), (b), (c), (cc), (d), (e) and (f) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946); and (v) under the Foreigners Order, 1948, subject to the following conditions, namely :—

- (a) that in the exercise of such functions, the said Government shall comply with such general or special directions as the Central Government may from time to time issue; and
- (b) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 11013/1/71-(I)-F.I.]

S.O. 1449.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution and of all other powers enabling him in this behalf, the President, with the consent of the Government of Himachal Pradesh, hereby entrusts to that Government, the functions of the Central Government (i) for obtaining an indemnity bond in respect of a foreigner entering India; (ii) for taking any action under the terms and conditions of the bond; and (iii) for incurring any expenditure on the foreigner and his family during their residence in India and on their repatriation out of India, subject to the following conditions, namely :—

- (a) that in the exercise of such functions the said Government shall comply with such general or special directions as the Central Government may from time to time issue; and
- (b) that notwithstanding this entrustment, the Central Government may itself exercise the said functions should it deem fit to do so in any case.

[No. 11013/1/71-(II)-F.I.]

R. A. S. MANI, Dy. Secy.

New Delhi, the 22nd March 1971

S.O. 1450.—In pursuance of clause (b) of rule 2 of the Citizenship Rules, 1956 and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 1169, dated the 18th March, 1970 the Central Government hereby appoints the officer specified in column 1 of the Schedule hereto annexed to perform in the Union Territory of Tripura the functions of the Collector under the said rules in respect of the area specified in the corresponding entry in column 2 thereof.

THE SCHEDULE

Designation of the Officer	Area
Additional District Magistrate, West Tripura	West Tripura District.

[No. 23/1/66-IC.]

NAND KUMAR, Under Secy.

गृह मंत्रालय

नई दिल्ली, 22 मार्च, 1971

एस० आ० 1450.—नागरिकता नियम, 1956 के नियम 2 के खण्ड (ख) के अनुसरण में और भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का० आ० 1169 तारीख 18 मार्च, 1970 को अधिकांत करते हुए केन्द्रीय सरकार इससे उपायुक्त अनुसूची के स्तंभ 1 में विनिर्दिष्ट अधिकारी को, उसके स्तंभ 2 की तत्स्थानी प्रविष्टि में विनिर्दिष्ट क्षेत्र की बाबत उक्त नियमों के अधीन त्रिपुरा संघ राज्य क्षेत्र में कलक्टर के कृत्यों का पालन करने के लिए, एतद्द्वारा नियुक्त करती है।

अनुसूची

अधिकारी का पदाभिधान	क्षेत्र
अवर जिला मजिस्ट्रेट, पश्चिमी त्रिपुरा	पश्चिमी त्रिपुरा जिला

[संख्या 23/1/66—भा० ना० अनुभाग]

नन्द कुमार,

अवर सचिव, भारत सरकार।

New Delhi, the 23th March 1971

S.O. 1451.—In exercise of the powers conferred by Section 41 of the Arms Act, 1959 (54 of 1959), the Central Government, being of opinion that it is expedient in the public interest so to do hereby exempts the members of the General Reserve Engineer Force who are ex-servicemen and are serving in, and located within, the sector of responsibility of the Chief Engineer, Project Beacon (J&K) and are armed in self-defence to ward off the attacks of unruly elements and to protect the officers and members of, and property belonging to, the Force, from the operation of the provision of the said Act.

[No. 17/3/71-GP A. II.]

T. V. RAMANAN, Dy. Secy.

नई दिल्ली, दिनांक 25 मार्च, 1971

एस० नो० 1451.—परिनियम नियमित तथा आदेश—केन्द्रीय सरकार शस्त्र अधिनियम, 1959 (1959 का 54) की धारा 41 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए और इस विचार से कि ऐसा करना जनता के हित में समीचीन है, एतद्वारा जनरल रिजर्व इन्जीनियर दल के उन सदस्यों को उक्त अधिनियम के उपबन्धों के अमल से छूट देती है जो पूर्व सैनिक रहे हैं तथा जो मुख्य इन्जीनियरी, प्राजेक्ट, बीकन (जम्मू एवं काश्मीर) के उत्तरदायित्व-क्षेत्र में काम कर रहे हैं अथवा उस क्षेत्र की परिधि में नियुक्त हैं और जो आत्म-रक्षा में उपद्रवी तत्वों के आक्रमणों को विफल करने एवं दल के अधिकारियों, सदस्यों तथा दल की सम्पत्ति की रक्षा हेतु हथियारों से लैस किये जाते हैं ।

[सं० 17/3/71—जी० सी० ए०—II]

टी० बी० रमणन,

उप सचिव, भारत सरकार ।

MINISTRY OF HEALTH, FAMILY PLANNING, WORKS, HOUSING AND URBAN DEVELOPMENT

(Department of Health)

New Delhi, the 23rd March 1971

S.O. 1452.—Whereas Dr. H. D. Gupta, LDSc. (Cal.), LDS, RCS (Eng.), MDS (LKO), Reader in Dentistry, Dental College and Hospital, Lucknow, has been re-elected under clause (a) of section 3 of the Dentists Act, 1948 (16 of 1948) to be a member of the Dental Council of India from the State of Uttar Pradesh with effect from the 26th November, 1970:

And whereas in pursuance of the provisions of clause (e) of section 3 of the said Act, Dr. G. K. Tiagi, Director of Medical and Health Services and Family Planning, Uttar Pradesh, Lucknow, has been nominated by the Government of Uttar Pradesh, to be a member of the said Council with effect from the 21st October, 1970 vice Dr. D. N. Sharma;

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby directs that Dr. H. D. Gupta shall continue to be a member of the Dental Council of India and makes the following further amendments in the notification of the Government of India in the late Ministry of Health No. 3-2/62-MIL, dated the 17th October, 1962, namely:—

In the said notification, under the heading "Nominated under clause (e) of section 3", for the entry against serial No. 9, the following entry shall be substituted, namely:—

"Dr. G. K. Tiagi, Director of Medical and Health Services and Family Planning, Uttar Pradesh, Lucknow."

[No. F. 3-10/70-M.F.T.]

स्वास्थ्य, परिवार नियोजन, निर्माण, आवास एवं नगर विकास मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 23 मार्च, 1971

एस० नो० 1452.—यतः दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 3 के खण्ड (क) के अधीन डा० एच० डी० गुप्त, एल० डी० एस० सी० (कल०), एल० डी० एस०, आर० सी० एस० (इंग), एम० डी० एल० (लख०) दन्त विज्ञान के सीडर, दन्त चिकित्सक कालेज एवं अस्पताल, लखनऊ को 26 नवम्बर, 1970 से उत्तर प्रदेश राज्य से भारतीय दन्त चिकित्सक परिषद का सदस्य पुनः निर्वाचित किया गया है ।

और यतः उक्त अधिनियम की धारा 3 के खण्ड (ड) के उपबन्धों का पालन करते हुए चिकित्सा एवं स्वास्थ्य सेवाओं एवं परिवार नियोजन, उत्तर प्रदेश, लखनऊ के निदेशक डा० जी० के० त्यागी को उत्तर प्रदेश सरकार ने 21 अक्तूबर, 1970 से डा० डी० एन० शर्मा के स्थान पर उक्त परिषद का सदस्य मनोनीत किया गया है।

अब, अतः उक्त अधिनियम की धारा 3 का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा निर्देश देती है कि डा० एच० डी० गुप्त भारतीय दन्त चिकित्सा परिषद के सदस्य बने रहेंगे और भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय के 17 अक्तूबर, 1962 की अधिसूचना संख्या 3-2/62-चि० 2 में निम्नलिखित और संशोधन करती है, नामतः—

उक्त अधिसूचना के, “धारा 3 के खण्ड (ड) के मनोनीत शीर्ष” के अन्तर्गत क्रम संख्या 9 की प्रविष्टि के सामने निम्नलिखित प्रविष्टि कर दी जाय, नामतः

“डा० जी० के० त्यागी,
निदेशक चिकित्सा तथा स्वास्थ्य सेवाएं एवं परिवार नियोजन,
उत्तर प्रदेश, लखनऊ।”

[संख्या प० 3-10/70-एम० पी० टी०]

New Delhi, the 24th March 1971

S.O. 1453.—In pursuance of clause (d) of rule 2 of the Indian Medical Council Rules, 1957, the Central Government hereby appoints Dr. Sham Singh Sakhon, Deputy Director, Pure Food and Drugs, Health Department, Punjab, as Returning Officer for the conduct of election of a member to the Medical Council of India under clause (c) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) in the State of Punjab.

[No. F. 4-17/68-M.P.T.]
M. C. MISRA, Dy. Secy.

नई दिल्ली, 24 मार्च, 1971

एस० नो० 1453.—भारतीय चिकित्सा परिषद नियमावली, 1957 के नियम 2 के खण्ड (घ) का पालन करते हुए केन्द्रीय सरकार एतद्वारा डा० शाम सिंह सखोन, उप निदेशक, विशुद्ध खाद्य एवं औषधि, स्वास्थ्य विभाग पंजाब को पंजाब राज्य में भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (ग) के अन्तर्गत भारतीय चिकित्सा परिषद के एक सदस्य का निर्वाचन कराने के लिए निर्वाचन अधिकारी के रूप में नियुक्त करती है।

[सं० प० 4-17/एम० पी० टी०]

महेश चन्द्र मिश्र,
उप सचिव, भारत सरकार।

(Department of Health)

ORDER

New Delhi, the 23rd March 1971

S.O. 1454.—Whereas by the notification of the Government of India in the Late Ministry of Health No. 17-2/60-MI, dated the 22nd April, 1960, the Central Government has directed that the Medical qualification, M.D. (Pennsylvania, U.S.A.) shall be recognised medical qualification for the purposes of the Indian Medical Council Act 1956 (102 of 1956);

And whereas Dr. W. M. Bond who possesses the said qualification is for the time being attached to the Wanless Hospital Miraj Medical Centre, Miraj, District Sangli for the purposes of teaching and charitable work;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

- (i) a further period of two years with effect from the 31st August, 1970 or
(ii) the period during which Dr. W. M. Bond is attached to the said Wanless Hospital, Miraj, District Sangli, whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. F. 19-33/70-M.P.T.]

P. C. ARORA, Under Secy.

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 23 मार्च 1971

एस० नो० 1454—यतः भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 22 अप्रैल, 1960 की अधिसूचना संख्या 17-2/60-चिकित्सा द्वारा केन्द्रीय सरकार ने निदेश दिया है कि भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) के प्रयोजनों के लिए एम० डी० (पेन्न साइलवनिया) नामक चिकित्सा अर्हता मान्य चिकित्सा अर्हता होगी ;

और यतः डा० डब्ल्यु० एम० बोण्ड जिनके पास उक्त अर्हता है, को अध्यापन तथा धर्मार्थ कार्य के प्रयोजनों के लिए फिलहाल वैनलेस अस्पताल, मिराज, सांगली जिले के साथ सम्बद्ध किया जा रहा है ;

अतः, अब, उक्त अधिनियम की धारा 14 की उपधारा (1) के परन्तुक के भाग (ग) का अनुरण करते हुए केन्द्रीय सरकार एतद्वारा :—

- (1) 31 अगस्त, 1970 से आगे दो वर्ष की ओर अवधि को अथवा
- (2) उस अवधि को जब तक डा० डब्ल्यु० एम० बोण्ड उक्त वैनलेस अस्पताल मिराज, जिला सांगली, से सम्बद्ध रहते हैं, जो भी कम हो वह अवधि विनिर्दिष्ट करती है, जिसमें पूर्वोक्त डाक्टर मेडिकल प्रैक्टिस कर सकेंगे ।

[संख्या प० 19-33/70-एम० पी० टी०]

पी० सी० अरोरा, अवसर सचिव ।

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 19th March 1971

S.O. 1455.—In exercise of the powers conferred by sub-section (7) of Section 63 of the Motor Vehicles Act, 1939 (4 of 1939), the Central Government hereby specifies the number of permits valid for the whole of India, as specified in column (2) of the Table below, which the State Transport Authority of any State or Union Territory may, for the purpose of promoting tourism, grant in respect of the classes of tourist vehicles specified in the corresponding entry in column (1) of the said Table:

TABLE

Class of tourist vehicle (1)	Number of permits (2)
(i) Omni bus	10
(ii) Motor Cab	50

NOTE.—A separate permit shall be granted in respect of each tourist vehicle.

[No. 39-TAG(3)/71.]

K. C. JOSHI, Dy. Secy.

पौत परिवहन तथा परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 19 मार्च, 1971

एस० ओ० 1455.—मोटर गाड़ी अधिनियम, 1939 (1939 का 4) की धारा 63 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा सारे भारत में वैद्य परमिटों की संख्या नीचे दी गई तालिका के दूसरे स्तम्भों में उल्लिखित करती है, जिन्हें कोई राज्य अथवा केन्द्रीय शासित क्षेत्र पर्यटन उत्थान के लिए उक्ततालिका के संगत प्रथम स्तम्भ में निर्दिष्ट प्रकार की पर्यटक-मोटर गाड़ियों के लिए प्रदान कर सकता है ;

तालिका

पर्यटन मोटर गाड़ी का प्रकार	परमिटों की संख्या
(1)	(2)
1. ओम्निबस	10
2. मोटर कैब	50

टिप्पणी : प्रत्येक पर्यटक-मोटर गाड़ी के लिए वृथक परमिट प्रदान किया जायेगा ।

[संख्या 39 टी० ए० जी० (3)/71]

के० सी० जोशी, उपसचिव ।

MINISTRY OF TOURISM AND CIVIL AVIATION

New Delhi, the 24th March, 1971

S.O. 1456.—In pursuance of sub-rule (2) of rule 3 of the Aircraft Rules, 1937, the Central Government hereby authorises the Manager, Patiala Aviation Club, Patiala, also to grant or renew Student Pilot's Licence referred to in clause (a) of rule 38 and in Section 'B' of Schedule II to the said Rules, with effect from the 16th March, 1971 and makes the following amendment in the notification of the Government of India in the Ministry of Tourism and Civil Aviation No. S.O. 34 dated the 16th December, 1970, published at page 40 of the Gazette of India Part II, Section 3-sub-section (ii) dated the 2nd January, 1971, namely:—

"In the said notification, after entry 10, the following entry shall be inserted, namely:—

11. The Manager, Patiala Aviation Club, Patiala."

[No. F. 10-A/11-70/AR/1937(2)/1971.]

S. N. KAUL, Dy. Secy.

पर्यटन तथा नागर विमानन मंत्रालय

नई दिल्ली, 24 मार्च, 1971

का० ओ० 1456.—वायुयान नियम, 1937 के नियम 3 के उप-नियम (2) का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा प्रबंधक, पटियाला एविएशन क्लब, पटियाला को भी 16 मार्च, 1971 से नियम 39 के खंड (क) और उक्त नियमों की अनुसूची 11 के खंड 'ख' में विनिर्दिष्ट छात्र पाइलट अनुशक्ति की मंजूरी देने अथवा नवीकरण करने के लिए प्राधिकृत करती

है और 2 जनवरी, 1971 के भारत स राजपत्र के भाग II, खंड 3, उपखंड (II) के पृष्ठ 40 पर प्रकाशित भारत सरकार के पर्यटन तथा नागर विमानन मंत्रालय की अधिसूचना सं० आ० 34, दिनांक 16 दिसम्बर, 1970 में निम्नलिखित संशोधन करती है, अर्थात् :—

“उक्त अधिसूचना में प्रविष्टि 10 के बाद निम्नलिखित प्रविष्टि जोड़ी जाये, अर्थात् :—

II. प्रबन्धक, पटियाला एवियेशन क्लब, पटियाला ।”

[सं० फा-10-ए/11-70/ए० आर/1937(2)/1971]

सुरेन्द्र नाथ कौल, उप सचिव ।

पेट्रोलियम तथा रसायन और खान तथा घा. मंत्रालय

(पेट्रोलियम तथा रसायन विभाग)

नई दिल्ली, 28 नवम्बर 1970

का० आ० 4020.—उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 19 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा अधिसूचित करती है कि कानूनी आदेश संख्या 1223 दिनांक 17 मार्च, 1970 की अनुसूची के मद संख्या 4 के स्थान पर निम्न पद स्थापित किया जाए अर्थात् :—

“मद्य निषेध और उत्पादन शुल्क के जिला निरीक्षक”

[संख्या 4(2)/68 कैमो 1]

ज० ए० चौधरी, अध्वर सचिव ।

MINISTRY OF FOREIGN TRADE

New Delhi, the 24th March 1971

S.O. 1457.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order further to amend the Cotton Textiles (Control) Order, 1948, namely:—

1. This Order may be called the Cotton Textiles (Control) Amendment Order, 1971.

2. In Clause 21 of the Cotton Textiles (Control) Order, 1948, in sub-clause (1) (a) after item (iii), the following item shall be inserted, namely:—

“(iii-a) one-third bales containing not less than 450 metres or not more than 550 metres of cloth; or”;

(b) in the first proviso, for the words “half and quarter bales”, the words “half, one-third, quarter and one-eighth bales” shall be substituted;

(c) in the second proviso, in item (d), for the words “one-half or one-quarter bales” the words “one-half, one-third, quarter or one eighth bales” shall be substituted;

(d) for the *Explanation*, the following *Explanation* shall be substituted, namely:—

“*Explanation.*—For the purpose of this sub-clause, a wooden case containing the quantity of cloth as specified in items (i), (ii), (iii), (iii-a), (iv) or (v) shall also be deemed to be a full, three quarter, half, one-third, quarter or one-eighth bale, as the case may be.”

[No. F. 24/13/69-Tex-A.]

H. K. BANSAL, Dy. Secy.

विदेश व्यापार मंत्रालय

नई दिल्ली, 24 मार्च, 1971

क्रा० अ० 1457—आवश्यक वस्तु अधिनियम, 1955 (1955 का 10) की धारा 3 द्वारा अदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, सूती वस्त्र (नियंत्रण) आदेश, 1948 में और आगे संशोधन करने के लिए एतद्वारा निम्नलिखित आदेश बनाती है, अर्थात् :—

1. यह आदेश सूती वस्त्र (नियंत्रण) संशोधन आदेश, 1971 कहा जा सकेगा ।

2. सूती वस्त्र (नियंत्रण) आदेश, 1948 के खंड 21 में, उपखंड (1) में—

(क) मद (III) के पश्चात् निम्नलिखित मद अन्तःस्थापित की जायगी, अर्थात् :—

“(III-क) एक—तिहाही गांठें जिसमें 450 मीटर से अन्वुन या 550 मीटर से अनधिक वस्त्र हो; या” ;

(ख) प्रथम परन्तुक में, “आधी और चौथाई गांठें”, शब्दों के स्थान पर “आधी, एक तिहाई चौथाई और एक बटा आठ गांठें” शब्द प्रतिस्थापित किए जाएंगे ;

(ग) द्वितीय परन्तुक में, मद (घ) में, (“आधी या एक-चौथाई गांठें” शब्द प्रतिस्थापित किए जाएंगे ;

(घ) स्पष्टीकरण के स्थान पर, निम्नलिखित स्पष्टीकरण प्रतिस्थापित किया जायगा, अर्थात् :—

“स्पष्टीकरण:—इस उपखंड के प्रयोजन के लिए लकड़ी का बकसा जिसमें मद (i), (ii), (iii), (iii-क), (iv) या (v) में या यथा विनिर्दिष्ट परिमाण में वस्त्र हों, यथास्थिति भरा, हुआ, तीन-चौथाई या गांठ का एक बटा आठ भी समझा जायगा ।”

[सं० फ० 24/13/69—टेक्स० ए०].

एस० के० बन्सल, उप सचिव ।

(Office of the Chief Controller of Imports and Exports)

ORDERS

New Delhi, the 29th December 1970

S.O. 1458.—M/s. Daily Thanthi, 1, Rundall's Road, Madras were granted an import licence No. P/A/1326125 dated 17th March, 1970 for Rs. 8,38,875 (Rupees Eight lakh thirty eight thousand eight hundred and seventy five only). They have applied for the issue of a duplicate licence on the ground that the original Customs Purposes/Exchange Control Purposes copy has been lost. It was utilised for NIL and the balance available on it was Rs. 8,38,875.

2. In support of this contention the applicant has filed an affidavit duly attested by Notary Public U.T. of Delhi. I am accordingly satisfied that the original Customs Purposes/Exchange Control Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-Clause 9(cc) of the Imports (Control) Order, 1955 dated 7th December, 1955, as amended the said original Customs Purposes/Exchange Control Purposes copy of the licence No. P/A/1326125 dated 17th March, 1970 issued to M/s. Daily Thanthi, 1, Rundalls Road, Madras is hereby cancelled.

3. A duplicate Customs Purposes/Exchange Control Purposes copy of the said licence is being issued separately to the licence.

[No. 3-6T/67-V/67-68/NPCIA.]

मुख्य निबंधक, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली 29 दिसम्बर, 1970

का० प्र० 1458 —सर्वश्री डली थान्पी, 1, रंडाल्स रोड, मद्रास को 8,38,875 रुपये (आठ लाख अड़तीस हजार आठ सौ पचहत्तर रुपये मात्र) के लिए एक आयात लाइसेंस संख्या पी० ए० 1326125 दिनांक 17-3-70 प्रदान किया गया था। उन्होंने लाइसेंस की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा-शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति खो गई है। इस का बिल्कुल उपयोग नहीं हुआ था और इस पर शेष उपलब्ध धन राशि 8,38,875 रुपये थी।

2. इस तर्क के समर्थन में आवेदक ने दिल्ली राज्य के नोटरी पब्लिक द्वारा विधिवत् साक्ष्यांकित एक शपथ पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमा-शुल्क/प्रति/मुद्रा विनिमयन नियंत्रण प्रति खोई गई है। इसलिए यथा संशोधित आयात नियंत्रण आदेश 1955, दिनांक 7-12-55 की उपधारा 9 (सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्व श्री डली थान्पी, 1, रंडाल्स रोड को जारी किए गए लाइसेंस सं० पी० ए० 1326125 दिनांक 17-3-70 की उक्त मूल सीमा-शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति को एतद्वारा रद्द किया जाता है।

3. लाइसेंस धारी को उक्त लाइसेंस की सीमा-शुल्क प्रति/मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रलग से जारी की जा रही है।

[संख्या 3-6 टी०/67-5/67-68 न्यूजप्रिंट सेल 1 (ए)]

New Delhi, the 19th March 1971

S.O. 1459.—M/s. Unichem Laboratories Limited, Bombay, were granted Licence No. P/D/2178589 dated 21st March, 1970, for import of Raw Materials valued at Rs. 1,70,450 from R.P.A. countries (Bulgaria, Czechoslovakia, G.D.R. Hungary, Poland, Rumania, U.S.S.R., Yugoslavia). They have requested for the issue of duplicate Customs purposes copy on the ground that the original Customs copy of the licence has been misplaced after utilising Rs. 1,39,328 and that the licence has been registered with the Collector of Customs, Bombay.

2. In support of their contention, the applicant have filed an affidavit. The under-signed is satisfied that the original Customs purposes copy of Licence No. P/D/2178589, dated 21st March, 1970, has been misplaced/lost and directs that duplicate Customs purposes copy of the said licence should be issued to them. The original Customs purpose copy of the licence is cancelled.

[No. Ch/U-78(4)/A.M. 70/R.M. 3/3200.]

SARDUL SINGH,

Dy. Chief Controller of Imports and Exports.

नई दिल्ली, 19 मार्च 1971

एस० प्र० 1459—सर्वश्री यूनिकैम लैबोरेट्रीज लि०, बम्बई को रुपया भुगतान क्षेत्र (बल-गारिया, चेकोस्लोवाकिया, जर्मनी जनवादी गणराज्य, हंगरी, पोलैंड, रमानिया, सोवियत समाजवादी गणतंत्र संघ, यूगोस्लाविया) देशों से 1,70,450 रुपये के मूल्य के कच्चे माल के आयात के लिए एक आयात लाइसेंस सं० पी/डी/2178589 दिनांक 21-3-70 जारी किया गया था। उन्होंने लाइसेंस की सीमा शुल्क प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि 1,39,329 रुपये का उपयोग होने के बावजूद मूल सीमा शुल्क प्रति अस्थानस्थ हो गई है और लाइसेंस को सीमाशुल्क समाहर्ता, बम्बई से पंजीकृत कराया गया है।

2. अपने तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं० पी/डी/2178589, दिनांक 21-3-70 की मूल सीमा शुल्क प्रति अस्थानस्थ हो गई है/खो गई है/और निदेश देता है कि उनको उक्त लाइसेंस की सीमा शुल्क प्रति की अनुलिपि जारी की जानी चाहिए। लाइसेंस की मूल सीमाशुल्क प्रति रद्द की जाती है।

[सं० सी एच/यू-78(4)/ए एम 70/भार एम-3/3200]

सरदूल सिंह

उप-मुख्य नियंत्रक, आयात-निर्यात।

(Office of the Joint Chief Controller of Imports and Exports)

ORDER

Calcutta, the 19th January 1971

SUBJECT.—Order cancelling the customs purpose copy of licence No. P/EI/0143615/C/XX/25/C/C/25-26, dated 29th September, 1967 in connection with the issue of duplicate copy of the same.

S.O. 1460.—M/s. Kilburn & Co. Ltd., 2, Fairlie Place, Calcutta-1, were granted import licence No. P/EI/0143615/C/XX/25/C/C/25-26, dated 28th September 1967, for parts of machinery when required for industries other than Cinema and Refrigeration and also other than spare parts of machinery falling u/s No. 65(1-4)(VII) (a) and (b)/V for Rs. 95,611 (Rupees ninetyfive thousand six hundred and eleven only).

They have now applied for issue of a duplicate of the customs purpose copy of the said licence on the ground that the original has been lost. It is further stated that the original licence has been registered with the Customs House, Calcutta, and utilised partly (to the extent of Rs. 85,436) leaving a balance of Rh. 10,175 (Rupees ten thousand one hundred and seventy-five only).

In support of this contention, the applicant has filed an affidavit. I am satisfied that the original customs purpose copy of licence No. P/EI/0143615/C/XX/25/C/C/25-26, dated 28th September 1967, has been lost and direct that duplicate of the customs purpose copy be issued to the applicant. The original customs purpose copy of the licence is cancelled.

[No. 65(5)(111)-V/62/AM'68/EI-I.]

M. S. PURI,

Dy. Chief Controller of Imports and Exports,
for Jt. Chief Controller of Imports and Exports.

(संयुक्त मुख्य नियंत्रक आयात-निर्यात का कार्यालय)

आदेश

कलकत्ता, 19 जनवरी 1971

विषय :—लाइसेंस सं० पी/ई आई/0143615/सी/एक्स एक्स/25/सी/सी 25-26 दिनांक 28-9-67 की सीमा शुल्क प्रति की अनुलिपि जारी करने के सम्बन्ध में मूल सीमा शुल्क प्रति को रद्द करने का आदेश।

एस० ओ० 1476.—सर्वश्री किलबर्न एण्ड कं लि०, 2, फेयरली प्लेस, कलकत्ता-1 को सिनेमा और प्रशीतन से भिन्न मशीनों के पुर्जों के लिए जन्म कभी इन की आवश्यकता उद्योगों के लिए हो और क्रम सं० 65(1-4)(7)(ए) तथा (बी)/5 के अन्तर्गत आने वाले मशीनों के फालतु पुर्जों से भी भिन्न पुर्जों के आयात के लिए 95611 रुपये (पचान्वे हजार छः सौ ग्यारह रुपये मात्र) का एक आयात लाइसेंस सं० पी/ई आई/0143615/सी/एक्स/एक्स/25/सी/सी 25-26 दिनांक

28-9-67 जारी किया गया था। अब उन्होंने उक्त लाइसेंस की सीमा शुल्क प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल प्रति उनसे खो गई है। आगे यह सूचना दी गई है कि मूल लाइसेंस सीमा शुल्क कार्यालय, कलकत्ता से पंजीकृत कराया गया है और इस पर शेष धन राशि 10,175 रुपये (दस हजार एक सौ पच्छत्तर) रहते हुए इस का आंशिक उपयोग (85436 रुपये की सीमा तक) कर लिया गया था।

इस तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि लाइसेंस सं० पी/ई आई/0143615/सी/एक्स/एक्स/25/सी/सी/25-26 दिनांक 25-5-67 की मूल सीमा शुल्क प्रति खो गई है और निदेश देता हूँ कि आवेदक को सीमा शुल्क प्रति की अनुलिपि जारी की जाए। लाइसेंस की मूल सीमा शुल्क प्रति रद्द की जाती है।

[संख्या 65(5)(111)-5/62/ए एम 68/ई आई-1]

एम० एस० पुरी,

उप मुख्य नियंत्रक, आयात निर्यात,
कृते संयुक्त मुख्य नियंत्रक, आयात-निर्यात।

(Office of the Chief Comptroller of Imports and Exports)

ORDER

New Delhi, the 22nd March 1971

S.O. 1461.—The Director of Education, Nagaland, Kohima was granted C.C.P. No. G/J/2339792, dated 25th January, 1971 for import of Swedish gift papers. He has requested for the issue of duplicate copy of CCP on the ground that the original C.C.P. has been lost by him. It has been further reported by the licensee that this C.C.P. was lost without having been registered with any customs authority or utilised at all.

In support of their contention the applicant have filed an affidavit. The undersigned is satisfied that the C.C.P. No. G/J/2339792, dated 25th January, 1971, has been lost and directs that duplicate copy of the said C.C.P. should be issued to him. The original CCP has been cancelled. Duplicate copy of the CCP is being issued separately.

[No. 3/SG/232.70-71/PLS/B/2279.]

S. K. USMANI,

Deputy Chief Controller of Imports & Exports,
for Chief Controller of Imports & Exports.

(मुख्य नियंत्रक आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 22 मार्च, 1971

एस० ओ० 1461.—शिक्षा निदेशक, नागालैण्ड, कोहिमा को स्वीडिश गिफ्ट कागज के आयात के लिए सीमा शुल्क निकासी परमिट संख्या जी/जे/2339792, दिनांक 25-1-71 स्वीकृत किया गया था। उसने अनुलिपि सीमा शुल्क निकासी परमिट के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क निकासी परमिट उसके द्वारा खो गया है। लाइसेंसधारी द्वारा आगे यह बताया गया है कि यह परमिट बिना किसी सीमा शुल्क प्राधिकारी के पास पंजीकृत कराए और बिना प्रयोग किए खो गया है।

अपने तर्क के समर्थन में आवेदक ने एक शपथ पत्र जमा किया है। अधोहस्ताक्षरी इससे संतुष्ट है कि सीमा शुल्क निकासी परमिट संख्या : जी/जे/2339792, दिनांक 25-1-71 खो गया है और निदेश देता है कि उसे उक्त सीमा शुल्क निकासी परमिट की अनुलिपि प्रति जारी की जानी चाहिए। मूल सीमा शुल्क निकासी परमिट रद्द कर दिया गया है। अनुलिपि सीमा शुल्क परमिट अलग से जारी की जा रही है।

[संख्या : 3/एस जी/232/70-71/पी एल एस/बी/2279]

एस० के० उस्मानो,

उप-मुख्य नियंत्रक, आयात-निर्यात,
कृते मुख्य नियंत्रक, आयात-निर्यात।

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 23rd March 1971

S.O. 1462.—M/s. Coronet Canning Co., Raj Mandir, Malpe, Mysore were granted an import licence No. P/C/2061907/S/BB/36/H/27-28/CG.III, dated 30th September, 1970 for Rs. 43,640 (Rupees Forty Three Thousand, Six Hundred and Forty only). They have applied for the issue of duplicate Customs Purposes and Exchange Control Purposes copies of the said licence on the ground that the original Customs Purposes and Exchange Control Copies have been lost/misplaced. It is further stated that the original Customs Purposes copy was not registered with any Customs House and was not utilised at all and the balance on it was Rs. 43,640.

2. In support of this contention, the applicant has filed an affidavit. I am accordingly satisfied that the original Customs Purposes and Exchange Control Copies of the said licence have been lost. Therefore, in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order, 1965, dated 7th December, 1955 as amended, the said original Customs Purposes and Exchange Control Purposes copy of licence No. P/C/2061907/S/BB/36/H/27-28/CG.III, dated 30th September, 1971, issued to M/s Coronet Canning Co., Mysore are hereby cancelled.

3. A duplicate Customs Purposes as well as Exchange Control Purposes copy of the said licence is being issued separately to the licensee.

[No. 28/33/60-71/CG.III.]

S. A. SESHAN.

Dy. Chief Controller of Imports and Exports.

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली, 23 मार्च 1971

एस० ओ० 1462—सर्वश्री कोरानेट कैंनिंग कं०, राज मन्दिर, माल्पे, मैसूर को 43,640/- रुपये (तीतालीस हजार छः सौ चालीस रुपये मात्र) के लिए आयात लाइसेंस संख्या पी/सी/2061907/एस/बी बी/36/एच/27-28/सी जी-3, दिनांक 30-9-1970, स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमा शुल्क कार्य सम्बन्धी तथा मूद्रा विनिमय नियंत्रण प्रतियों के लिए इस आधार पर आवेदन किया है कि मूल प्रतियां खो गई हैं/अस्थानस्थ हो गई हैं। आगे यह बताया गया है कि मूल सीमा शुल्क कार्य सम्बन्धी प्रति किसी भी सीमा शुल्क कार्यालय में पंजीकृत नहीं की गई थी और उसका बिल्कुल उपयोग नहीं किया गया था और इसमें शेष राशि 43,640/-रुपये थी।

2. इस तर्क के समर्थन में आवेदक ने एक शपथ पत्र जमा किया है। तदनुसार मैं इससे संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमा शुल्क कार्य सम्बन्धी तथा मुद्रा विनिमय नियंत्रण प्रतियाँ खो गई हैं। इसलिए यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उपधारा 9 (सी सी) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए लाइसेंस संख्या पी/सी; 2061907/एस/बी बी/36/एच/27-28/सी जी—3, दिनांक 30-9-1970 की उक्त सीमा शुल्क कार्य सम्बन्धी तथा मुद्रा नियंत्रण प्रतियाँ जो सर्वश्री कोरोनेट कैनिंग कं० मैसूर के नाम से जारी की गई थी, एतद्वारा रद्द की जाती हैं।

3. उक्त लाइसेंस की अनुलिपि सीमा-शुल्क प्रति तथा मुद्राविनिमय नियंत्रण प्रति अलग से जारी की जा रही है।

[संख्या 28/33/60-71/सी जी 3]

एस० ए० सैशन,
उपमुख्य नियंत्रक, आयात निर्यात।

MINISTRY OF IRRIGATION AND POWER

ORDERS

New Delhi, the 23rd March 1971

S.O. 1463.—In exercise of the powers conferred under Sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that with a view to accommodate M/s. Neyveli Lignite Corporation Limited in respect of use of special type 500 litres Wheel Excavator, Serial No. 1232 the provisions of Rule 122(g) of the Indian Electricity Rules, 1956 shall be relaxed in case of un-armoured and un-screened, 3/4 core, 400 volts flexible cable in permanent fixture in the excavator generally in conduits except in certain parts where the cable could not be encased in metallic casing to permit the movement of the swings, booms and other parts, subject to the following conditions:—

1. 400 volts system shall be covered by suitable earth leakage protection.
2. 400 volts flexible cable either in conduits or un-encased shall be adequately taken care of for mechanical damage.
3. Efficient earth continuity of 400 volts system shall be ensured and maintained at a low resistance.
4. The relaxation granted may be amended or withdrawn if considered necessary at any time in the interest of safety.

[No. EL. II.6(7)/69.]

सिचाई और विद्युत मंत्रालय

आदेश

नई दिल्ली, 23 मार्च 1971

एस० ओ० 1463.—भारतीय विद्युत नियमावली 1956 के नियम 133 के उप नियम (2) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा आदेश देती है कि मैसर्स नेवेली लिग्नाइट कारपोरेशन लिमिटेड को विशेष किस्म के 500 लिटर के चक्र खनित्र (व्हील-एक्सकैवैटर) क्रम संख्या 1232 के प्रयोग के लिए काबिल बनाने के हेतु भारतीय विद्युत नियमावली 1956 के नियम 122(ग) के उपबन्धों को खनिज में साधारणतया कन्डुइटों में उन कुछ भागों को छोड़ कर जहाँ सिवलों बूमों तथा अन्य भागों को हिलने देने के लिए केबलों को घातु के केसिंग में बन्द नहीं किया जा सका उसके रूप से लगे अकवचित तथा अनार्म्ड 3/4 कोर

400 वोल्ट सुनम्य केबल के संबंध में शिथिल किए जायें किन्तु ये शिथिलताएँ निम्नलिखित स्थितियों में होंगी :

- (1) 400 वोल्ट प्रणाली के लिए उपयुक्त अर्थ स्त्राव संरक्षण का प्रबंध होगा ।
- (2) कन्डक्टरों में अथवा बिना कवचों के 400 वोल्ट सुनम्य केबलों को यान्त्रिक क्षतियों से बचाने के लिए पर्याप्त ध्यान रखा जायगा ।
- (3) 400 वोल्ट प्रणाली को सुदृक्ष भूयोजन (अर्थ) सांतत्य को निम्नतनाव पर सुनिश्चित और कायम रखा जायगा ।
- (4) सुरक्षा के हित में यदि किसी संय अनावश्यक समझा जाय तो स्वीकृत रिआयत का संशोधन किया जा सकता है या उसे वापिस किया जा सकता है ।

[सं० ई एल० II 6 (7)/69]

New Delhi, the 25th March 1971

S.O. 1464.—In exercise of the powers conferred by Sub-Rules (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs the provisions of—

- (i) Rule 118(a),
- (ii) Rule 119(1)(a),
- (iii) Rule 122(g); and
- (iv) Rule 123(5), (6), (7);

of the said rules shall be relaxed in respect of the use of following apparatus in conjunction with one Special type 500 Litres Wheel Excavator, Serial No. 1281.—

- (a) Two Nos. 400 amps each 10 kV gang operated Isolating switches, Siemens make serial Nos. S.68/56483 and S.68/56481 housed in dust proof cubicles in the excavating machine, one being used as bottom isolator at the Bucket Wheel Excavator and the other being used as top isolator in the said excavator;
- (b) One 630 amps 10 kV, 250 MVA manual operated oil circuit breaker fitted with overload and earth leakage protection, Siemens make, serial No. S. 30728835 controlling 11 KV supply to 800 KVA 11 kV/.4KV transformer installed in the Wheel Excavator;
- (c) One 800 KVA, 11KV/.4KV, 3 phase, transformer, Carbe Lahmeyer & Co., West Germany, Serial No. 858783, neutral of medium pressure system earthed;
- (d) One length of 800 metres, 4 crores, 35 sq. m.m. (3 power cores and one earth core) 10KV special type rubber insulated neoprene sheathed unarmoured and unscreened flexible cable for transmitting 11 KV supply to the excavator;
- (e) Short lengths of unarmoured and unscreened 3 core and 4 core, 400 volts flexible cables for supplying power to the auxiliary equipment and drives in permanent fixture, generally in conduit, except in certain parts where the cable cannot be encased in metallic casing to permit movement of booms, swings and other parts in the excavator,

in the Opencast Mine at Neyveli of M/s. Neyveli Lignite Corporation Limited to the extent that (1) in relaxation of Rule 118(a), the Wheel Excavator may be used at 11KV, (2) in relaxation of Rule 119 1)(a), One 800 KVA, 11KV/400 volts, 3 phase transformer and 10 KV isolating switches and also 10 KV oil circuit breaker installed in the excavator for controlling 11 KV supply to the transformer may not be fixed apparatus as being installed on the portable excavator moving from place to place the same having a portable sense; (8) in relaxation of Rule 122(g), portions of unarmoured and unscreened 3 core and 4 core 400 volts flexible cable used for interconnection between different motors and their control gears installed in the Excavator which could not be encased in metallic casing to permit the movement of swing, booms and other parts may remain unencased; and (4) in relaxation of sub-rules (5), (6) & (7) of Rule 123, 11KV flexible trailing cable supplying 11KV energy to the excavator shall not be provided with flexible metallic screening or pliable armouring and the said flexible cable not exceeding 800 metres

in length may be used and that the relaxation shall be subject to the following conditions:—

1. The 11KV system in conjunction with the transformer installed in the excavator shall be controlled by a circuit breaker of requisite over-current and earth leakage protection.
2. The 11KV flexible trailing cables shall be attached at all ends by suitable bolted type connectors.
3. No unauthorised person shall handle the 11KV flexible training cable. Any damage noticed on the cable shall be forthwith properly repaired by vulcanisation or cable replaced.
4. The flexible trailing cable at 11KV shall be adequately protected from mechanical damages and the same shall be kept clear of all obstructions and vehicular traffic.
5. The 11KV flexible training cable shall be examined once in 24 hours by competent persons duly authorised for the purpose.
6. The earth continuity of 11KV systems should be ensured and maintained as far as possible at a low resistance.
7. The 400 volts systems shall be covered by suitable earth leakage protection.
8. The 400 volts flexible trailing cables either in conduits or encased, in use in the excavator of the transformer feeder shall be adequately taken care of for mechanical damages.
9. The layout of the flexible cables shall not encounter any obstruction. Any damage noticed anywhere in the flexible cables shall be forthwith efficiently vulcanised or the portion replaced. These cables shall be attached at all ends by means of bolted type plug connectors.
10. Efficient earth continuity of the 400 volts system shall be ensured and maintained at a low resistance.
11. The entire electrical installation including the flexible trailing cables used in the system at 11KV, 400 volts or 110 volts shall be adequately supervised by competent persons only authorised in this behalf who shall regularly inspect the systems so as to obviate any danger.
12. Earnest endeavour shall be made to replace unarmoured 11KV flexible trailing cable for transmitting 11KV energy to the excavator by indigenous make pliable armoured flexible cable at an early date.
13. The operator of the excavator shall be trained and duly authorised for operating the excavator with competency and due care to avoid danger.

Provided that the aforesaid relaxation shall be valid for such time as the same machine is in use in the mine and due information shall be given to the Central Government through the Deputy Director of Mines Safety (Electrical-Hqs), as soon as the machine is taken out of the mine.

[No. EL.II-6(1)/68.]

M. RAMANATHAN, Dy. Director (Power).

नई दिल्ली, 25 मार्च 1971

क्र० आ० 1464—भारतीय विद्युत् नियमावली, 1956 के नियम 133 के उप-नियम (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार का यह आदेश है कि उपर्युक्त नियमावली के

- (1) नियम 118 (क)
- (2) नियम 119 (क),
- (3) नियम 122 (छ), और
- (4) नियम 123 (5), (6) (7)

के उपबन्धों को मैसर्स नेवली लिग्नाइट कापेरिशन लिमिटेड की नेवली में स्थित ओपनकास्ट खान में क्रम संख्या 1281 पर एक विशेष किस्म के 500 लिटर के चक्र खनिज (व्हील एक्सकेवटर) के साथ निम्नलिखित उपस्कर के प्रयोग के सम्बन्ध में शिथिल किया जाये :—

(क) दो 400 एम्पीयर जिनमें से प्रत्येक 10 के वी गैंग प्रचारित ग्राइसोलैटिंग स्विच, सीमेन्स, द्वारा बनाये गए हैं। उनकी क्रम संख्या एस० 68/56483 और एस० 68/-567481 है और उत्खनन क्रम संख्या (एक्सकेवटिंग) मशीन में धूल रोधी कक्षकों में पड़े हैं—एक को बकेट चक्र खनिज में बांटम ग्राइसोलैटर के रूप में प्रयोग में लाया जा रहा है और दूसरे को उक्त अधिनियम खनिज में टॉप ग्राइसोलैटर के रूप में।

(ख) एक 630 एम्पीयर 10 के वी 250 एम वी ए हस्त प्रचारित ओयल सर्किट ब्रकर जिसमें अधिभार तथा भू साव संरक्षण का प्रबन्ध है। यह सीमेन्स द्वारा बनाया गया है और इसकी क्रम संख्या एस 30726835 है। यह 800 के वी ए 11 के वी/4 के वी ट्रांसफार्मर को, जो चक्र खनिज में लगा हुआ है, नियन्त्रित करता है।

(ग) कार्बोलेमियर एण्ड को० पश्चिम जर्मनी द्वारा निर्मित एक 800 के वी ए, 11 के वी/4 के वी, 3 फेज, ट्रांसफार्मर, जिसकी क्रम संख्या है 858785 है और जो अर्थ की गई मध्यम दबाव प्रणाली को निरावशित करता है।

(खनिज) खनिज को 11 के वी सप्लाय प्रेषित करने के लिए एक 800 लिटर लम्बी 4 कोर, 35 वर्ग मिलिमीटर (3 विद्युत् गोर और 1 भू कोर) 10 के वी स्पेशल टाईप के रबर इन्सुलेशन नियोग्रीन आच्छादित अकवचित तथा अनावृत्त लचकदार केबल।

(ङ) खनिज में बूमों, स्विंग तथा अन्य भागों को हिलते रहने देने के लिए, उन कुछ भागों को छोड़ कर जहाँ केबलों को धातु के बने केसिंग में बंध नहीं किया जा सकता, साधारण तथा कन्डक्टर में, स्थायी रूप से लगी आनुषंगिक मशीनों और ड्राइवों को विद्युत् की सप्लाय करने के लिए छोटी-छोटी अकवचित तथा अनावृत्त 3 कोर और 4 कोर, 400 वोल्ट वाली सुन्य केबलें।

इन उपबन्धों को इस सीमा तक शिथिल किया जाए कि (1) नियम 118 (क) को शिथिल करते हुए, चक्र खनिज को 11 के वी पर प्रयोग में लाया जाए (2) (2) नियम 119 (1) (क) को शिथिल करते हुए, ट्रांसफार्मर को 11 के वी की सप्लाय नियन्त्रित करने के लिए खनिज में प्रतिष्ठापित 10 के वी ओयल सर्किट ब्रकर 10 के वी ग्राइसोलैटिंग स्विच और 800 के वी ए, 11 के वी/400 वोल्ट 3 फेज ट्रांसफार्मर गतिमान सुवाह्य खनिज में आबद्ध उपस्कर न हों। नियम 122 (छ) को शिथिल करते हुए, विभिन्न मशीनों और खनिज में लग उनके नियन्त्रण गीयरों के बीच अन्तः सम्पर्क स्थापित करने के लिए प्रयुक्त अकवचित तथा अनावृत्त 3 और 4 कोर 400 वोल्ट की केबलों के कुछ भागों को बिना सिंग के ही रहने दिया जाए जिन्हें स्विंग, बूमों तथा अन्य भागों को हिलाने देने के लिए धातु की बनी केसिंग के अन्दर नहीं रखा जा सका तथा, नियम 123 के उप नियम (5), (6), और (7) को शिथिल करते हुए, खनिज को 11 के वी ऊर्जा सप्लाय करने वाली 11 के वी सुन्य ट्राइलिंग केबलों पर सुन्य धातु के आवरण अथवा कवच नहीं लगाए जाएंगे और उक्त सुन केबल, जो कि 800 मीटर से अधिक लम्बी नहीं होगी, प्रयोग में लाई जाए और यह शिथिलीकरण निम्नलिखित शर्तों के अधीन होगा :—

(1) खनिज में प्रतिष्ठापित ट्रांसफार्मर के साथ 11 के वी प्रणाली अपेक्षित ओवरकरेंट और भू साव संरक्षण के सर्किट ब्रकर द्वारा नियन्त्रित होगा।

- (2) ॥ के वी सुनम्य ट्रेलिंग केबल सभी किनारों पर उपयुक्त बोल्ट लगी किस्म के सम्पर्कों से जोड़े जाएंगे ।
- (3) कोई भी अनधिकृत व्यक्ति ॥ के वी सुनम्य ट्रेलिंग केबल को हैन्डल नहीं करेगा । केबलों पर दिखाई दिया गया कोई भी नुकस वल्केनाइज करके अथवा केबल बदल कर ठीक किया जाएगा ।
- (4) ॥ के वी पर सुनम्य ट्रेलिंग केबल यान्त्रिकीय क्षति से बचाई जाएगी और इसे सभी रूका-वटों तथा गाड़ियों से सुरक्षित रखा जाएगा ?
- (5) ॥ के वी सुनम्य ट्रेलिंग केबल की 24 घंटों में एक बार जांच उस व्यक्ति द्वारा की जाएगी जो इस उद्देश्य के लिए अधिकृत हों ।
- (6) ॥ के वी प्रणालियों का भू-योजन सांतत्य यथासम्भव निम्न तनाव पर सुनिश्चित तथा पोषित किया जाएगा ।
- (7) 400 वोल्ट प्रणाली उपयुक्त भू स्त्राव से सुरक्षित की जाएगी ।
- (8) ट्रांसफार्मर फीडर के खनित्र में प्रयुक्त, कंडुइट अथवा केसिंग लगे 400 वोल्ट की सुनम्य ट्रेलिंग केबलों के कोई यान्त्रिकीय नुकसान न हो जाए इसके लिए उनका पर्याप्त ध्यान रखा जाएगा ।
- (9) सुनम्य केबलों को लगाने में कोई बाधा नहीं आएगी । सुनम्य केबलों में देखे गए किसी भी नुकस को तुरन्त और दक्षता पूर्वक वल्केनाइज कर दिया जाएगा अथवा उस भाग को बदल दिया जाएगा । सभी किनारों पर इन केबलों के साथ वोल्ट टाइप के प्लग कनेक्टर लगाए जाएंगे ।
- (10) 400 वोल्ट प्रणाली का सुदक्ष भू-योजन—सांतत्य निम्न तनाव पर सुनिश्चित किया जाएगा और कायम रखा जाएगा ।
- (11) ॥ के वी, 400 वोल्ट अथवा 110 वोल्ट पर प्रणाली में प्रयुक्त सुनम्य ट्रेलिंग केबलों समेत समस्त विद्युत प्रतिष्ठापन की देख भाल उपयुक्त व्यक्तियों द्वारा की जाएगी जो इस उद्देश्य के लिए अधिकृत होंगे यह व्यक्ति प्रणालियों की नियमित रूप से देख भाल करते रहेंगे ताकि कोई डर न रहे ।
- (12) देशी आनम्य कवचित सुनम्य केबल द्वारा खनित्र को ॥ के वी विद्युत प्रेषित करने के लिए अवचित ॥ के वी सुनम्य ट्रेलिंग केबल को बदलने के लिए गम्भीर प्रयत्न किए जाएंगे ।
- (13) खनित्र के प्रचालक को, किसी भी खतरे से बचने के लिए प्रशिक्षित किया जाएगा और खनित्र के प्रचालन के लिए अधिकृत किया जाएगा ।

शर्त यह है कि उक्त गिथिलता तब तक ही लागू होगी जब तक उसका खान में प्रयोग होता रहेगा और जब यह खान से बाहर ले जाई जाएगी, तो इसके बारे में उप निदेशक, खान सुरक्षा (विद्युतीय मुख्यालय), के जरिए केन्द्रीय सरकार को उचित सूचना भेज दी जाएगी ।

[सं० ई एल० 2-6(1 / 68.)]

एम० रामनाथन,

उप निदेशक (विद्युत)

CABINET SECRETARIAT

(Department of Personnel)

New Delhi, the 27th March 1971

S.O. 1465.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby specified the following offences as the offences which are to be investigated by the Delhi Special Police Establishment, namely:—

- (a) offences punishable under sections 285, 286, 426 and 436 of the Indian Penal Code (45 of 1860);
- (b) attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned in clause (a) and any other offence committed in the course of the same transaction arising out of the same facts.

[No. 228/4/71-AVD.II.]

मंत्रिमण्डल सचिवालय

(कार्मिक विभाग)

नई दिल्ली, 27 मार्च, 1971

क्र० ग्रा० 1465—दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित अपराधों को ऐसे अपराधों के रूप में, निर्दिष्ट करती है, जिनका दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषण किया जाना है, अर्थात् :—

- (क) भारतीय दण्ड संहिता (1860 का 45) की धारा 285, 286, 426 और 436 के अधीन दंडनीय अपराध,
- (ख) खण्ड (क) में उल्लिखित एक या अधिक अपराधों के बारे में, या इससे संबंधित किये गये प्रयत्न, उकसाहट और षडयंत्र और उन्हीं तथ्यों से उत्पन्न होने वाली उसी क्रिया के दौरान किये गये कोई अन्य अपराध।

सं० 228/4/71-ए० बी० ०डी-2

ORDER

New Delhi, the 27th March 1971

S.O. 1466.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), and of all other powers enabling it in this behalf, the Central Government, with the consent of the Government of the State of Maharashtra, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Maharashtra for the investigation of the offences punishable under sections 285, 286, 304-A, 426 and 436 of The Indian Penal Code (45 of 1860) and any other offence committed in the course of the same transaction in regard to the explosion in the High Explosive Factory, Kirkee, on the 4th February, 1971.

[No. 228/4/71-AVD.II.]

B. C. VANJANI, Under Secy.

आदेश

नई दिल्ली, 27 मार्च 1971

क्र० ग्रा० 1466—दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त से उसे

समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा, महाराष्ट्र राज्य की सरकार की सहमति से, दिल्ली विमर्ष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का, भारतीय दण्ड संहिता की धाराओं 285, 286, 304-क, 426 एवं 436 के अधीन दण्डनीय अपराधों और किसी अन्य, अपराध, जो कि 4 फरवरी, 1971, को किरकी स्थित उच्च विस्फोटक फैक्टरी, (हार्ड एक्सप्लोजिव फैक्टरी) में हुए विस्फोटक के संबंध में किये गये हों, का अन्वेषण करने के लिए, महाराष्ट्र राज्य में विस्तार करती है।

[सं० 228/4/71-ए०वी०डी०-2]

बी० सी० बनजानी, अव्वर सचिव ।

LOK SABHA SECRETARIAT

New Delhi, the 27th March 1971

S.O. 1467.—Shri G. C. Swell, a Member of Lok Sabha, has been chosen as the Deputy Speaker of Lok Sabha on the forenoon of the 27th March, 1971.

[No. 13/1/71/T.]

S. L. SHAKDHER, Secy.

लोक सभा सचिवालय

नई दिल्ली, 27 मार्च, 1971

एस०ओ० 1467—श्री जी० जी० स्वैल, लोक सभा सदस्य को, 27 मार्च, 1971 को पूर्वाह्न में लोक सभा का उपाध्यक्ष चुन लिया गया है।

[सं० 13/1/71/टी०]

श्याम लाल शकधर, सचिव ।

MINISTRY OF INDUSTRIAL DEVELOPMENT AND INTERNAL TRADE

(Department of Industrial Development)

Indian Standard Institutions

New Delhi, 12 August 1970

S. O. 1468—In partial modification of the then Ministry of Commerce and Industry (Indian Standards Institution) notification No. S.O. 1517 dated 23 June 1961, published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 1 July 1961, the Indian Standards Institution hereby notifies that the marking fee per unit for unreinforced corrugated asbestos cement sheets has been revised. The revised rates of marking fee, details of which are given in the Schedule here to annexed, shall come into force with effect from 1 May 1970.

THE SCHEDULE

Serial No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking fee per unit
(1)	(2)	(3)	(4)	(5)
1	Unreinforced corrugated asbestos cement sheets.	IS: 459-1962 Specification for unreinforced corrugated asbestos cement.	Onetonne	(i) 20 paise per unit upto 12,500 units and (ii) 10 paise per unit for the 12,500 first unit and above.

[No. CMD/13 : 10.]

A. K. GUPTA
Deputy Director General

औद्योगिक विकास तथा आंतरिक व्यापार मंत्रालय

(औद्योगिक विकास विभाग)

(भारतीय मानक संस्था)

नई दिल्ली, 12 अगस्त, 1970

क्र० आ० 1468—भारतीय राजपत्र भाग 2, धारा 3 के उपखण्ड (ii) में दिनांक 1 जुलाई 1961 को प्रकाशित तत्कालीन उद्योग और वाणिज्य (भारतीय मानक संस्था) अधिसूचना सं० एस ओ 1517 दिनांक 23 जून 1961 के आंतरिक संशोधन के रूप में भारतीय मानक संस्था की ओर से सूचित किया जाता है कि, अप्रबलित एस्बेस्टस सीमेण्ट की चक्करों पर मुहर लगाने के प्रति इकाई फीस में परिवर्तन किया गया है। यहां अनुसूची में मुहर लगाने की जो परिवर्तित फीस व्यूरे सहित दी गई है वह 1 मई 1970 से लागू हो जाएगी।

अनुसूची

क्रम संख्या	वस्तु/वस्तु का वर्ग	सम्बन्धी भारतीय मानक की संख्या तथा शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1.	अप्रबलित लहरदार एस्बेस्टस सीमेण्ट की चक्कर	459-1962 अप्रबलित लहरदार एस्बेस्टस सीमेण्ट की विशिष्ट	एक मीटरी टन	(1) 20 पै प्रति इकाई, 12,500 इकाई तक (2) 12,500 इकाई से ऊपर 10 पैसे प्रति इकाई

[संख्या सी एम जी/13:10]

ए० के० गुप्ता,
उप महानिदेशक।

MINISTRY OF FINANCE

(Department of Banking)

New Delhi, the 2nd March 1971

S.O. 1469.—Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 19th February, 1971.

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	11,78,50,000
		Rupee Coin	5,37,000
Reserve Fund	150,00,00,000	Small Coin	4,28,000
		Bills Purchased and Discounted :—	
National Agricultural Credit (Long Term Operations) Fund	172,00,00,000	(a) Internal	94,40,000
		(b) External	
		(c) Government Treasury Bills	14,65,15,000
National Agricultural Credit (Stabilisation) Fund	37,00,00,000	Balance held abroad*	91,04,22,000
		Investments**	99,56,88,000
		Loans and Advances to :—	
National Industrial Credit (Long Term Operations) Fund	95,00,00,000	(i) Central Government . . . . .	..
		(ii) State Governments@	185,50,65,000
Deposits :—		Loans and Advances to :—	
(a) Government		(i) Scheduled Commercial Banks†	384,88,60,000
(i) Central Government	308,26,54,000	(ii) State Co-operative Banks††	289,46,08,000
(ii) State Governments	5,01,37,000	(iii) Others	3,60,90,000
		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	

LIABILITIES	Rs.	ASSETS	Rs.
(b) Banks		(a) Loans and Advances to :—	
(i) Scheduled Commercial Banks	191,52,94,000	(i) State Governments:	34,12,97,000
(ii) Scheduled State Co-operative Banks	8,34,60,000	(ii) State Co-operative Banks	20,46,63,000
(iii) Non-Scheduled State Co-operative Banks	85,46,000	(iii) Central Land Mortgage Banks . . . . .	..
(iv) Other Banks	31,04,000	(b) Investment in Central Land Mortgage Bank Debentures Loans and Advances from National Agricultural Credit (Stabilisation) Fund	9,59,42,000
(c) Others :	74,52,50,000	Loans and Advances to State Co-operative Banks	4,74,14,000
Bills Payable	46,20,35,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund . . . . .	..
Other Liabilities	127,84,39,000	(a) Loans and Advances to the Development Bank	29,83,71,000
		(b) Investment in bonds/debentures issued by the Development Bank . . . . .	..
		Other Assets	41,57,29,000
			<u>1221,89,19,000</u>
	<u>Rupees</u>		<u>Rupees</u>
	1221,89,19,000		1221,89,19,000

* Includes Cash, Fixed Deposits and Short-term Securities.

** Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

† Includes Rs. 237,94,50,000 advanced to scheduled commercial Banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit Stabilisation Fund.

Dated the 24th day of February, 1971.

S. JAGANNATHAN,
Governor.

An Account pursuant to the RESERVE BANK OF INDIA ACT, 1934, for the week ended the 19th day of February 1971.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
			Gold Coin and Bullion :—		
Notes held in the Banking Department	11,78,50,000		(a) Held in India	182,53,11,000	
			(b) Held outside India . . . .	..
Notes in circulation	4171,88,10,000		Foreign Securities	273,42,00,000	
TOTAL Notes issued		4183,66,60,000	TOTAL		455,95,11,000
			Rupee Coin		53,47,41,000
			Government of India Rupee Securities		3674,24,08,000
			Internal Bills of Exchange and other commercial paper . . . .		..
TOTAL LIABILITIES		4183,66,60,000	TOTAL ASSETS		4183,66,60,000

Dated the 24th day of February, 1971.

S. JAGANNATHAN,
Governor.
[No. F. 3(3)-BC/71]

वित्त मंत्रालय

(बैंकिंग विभाग)

नई दिल्ली, 2 मार्च, 1971

एस० ओ० 1469.—19 फरवरी, 1971 को रिज़र्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

देयताएं	रुपये	आस्तियां	रुपये
चुक्ता पूंजी	5,00,00,000	नोट	11,78,50,000
भारक्षित निधि	150,00,00,000	रुपये का सिक्का	5,37,000
राष्ट्रीय कृषि ऋण—		छोटा सिक्का	4,28,000
(दीर्घकालीन क्रियाएं) निधि	172,00,00,000	खरीदे और भुनाये गये बिल :—	
राष्ट्रीय कृषि ऋण—		(क) देशी	94,40,000
(स्थिरीकरण) निधि	37,00,00,000	(ख) विदेशी . . . . .	..
राष्ट्रीय औद्योगिक ऋण		(ग) सरकारी खजाना बिल	14,65,15,000
(दीर्घकालीन क्रियाएं) निधि	95,00,00,000	विदेशों में रखा हुआ बकाया*	91,04,22,000
जमा राशियां —		निवेश**	99,56,88,000
		ऋण और अग्रिम :—	
(क) सरकारी—			
(i) केन्द्रीय सरकार	308,26,54,000	(i) केन्द्रीय सरकार को . . . . .	..
(ii) राज्य सरकारें	5,01,37,000	(ii) राज्य सरकारों को†	18 5,50,65,000
(ख) बैंक—		ऋण और अग्रिम :	
(i) अनुसूचित वाणिज्य बैंक	191,52,94,000	(i) अनुसूचित वाणिज्य बैंकों को †	384,88,60,000
(ii) अनुसूचित राज्य सहकारी बैंक	8,34,60,000	(ii) राज्य सहकारी बैंकों को††	28 9,46,08,000
		(iii) दूसरों को	3,60,90,000

(iii) गैर अनुसूचित राज्य सहकारी बैंक	85,46,000	राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से— ऋण, अग्रिम और निवेश	
(iv) अन्य बैंक	31,04,000	(क) ऋण और अग्रिम	
		(i) राज्य सरकारों को	34,12,97,000
		(ii) राज्य सहकारी बैंकों को	20,46,63,000
		(iii) केन्द्रीय भूमिबन्धक बैंकों को . . . . .	..
(ग) अन्य	74,52,50,000	(ख) केन्द्रीय भूमिबन्धक बैंकों के डिबेंचरों में निवेश	9,59,42,000
देय बिल	46,20,35,000	राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अग्रिम	
अन्य देयतायें	127,84,39,000	राज्य सहकारी बैंकों को ऋण और अग्रिम	4,74,14,000
		राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि से ऋण, अग्रिम और निवेश	
		(क) विकास बैंक को ऋण और अग्रिम	29,83,71,000
		(ख) विकास बैंक द्वारा जारी किये गये बांडों/डिबेंचरों में निवेश . . . . .	..
		अन्य आस्तियां	41,57,29,000
रुपये	1221,89,19,000	रुपये	1221,89,19,000

* नकदी, आवधिक जमा और अल्पकालीन प्रतिभूतियां शामिल हैं।

** राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि में से किये गये निवेश शामिल नहीं हैं।

§ राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं, परन्तु राज्य सरकारों के अस्थायी ओवरड्राफ्ट शामिल हैं।

† रिजर्व बैंक ऑफ इंडिया अधिनियम की धारा 17 (4) (ग) के अधीन अनुसूचित वाणिज्य बैंकों को मीयादी बिलों पर अग्रिम दिये गये 237,94,50,000/- रुपये शामिल हैं।

†† राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं।

एस० जगन्नाथन,
गवर्नर।

तारीख : 24 फरवरी, 1971

रिज़र्व बैंक ऑफ इंडिया

रिज़र्व बैंक ऑफ इंडिया अधिनियम, 1934 के अनुसूचन में फरवरी, 1971 की 19 तारीख को समाप्त हुए सप्ताह के लिए लेखा
इस विभाग

देयताएं	रुपये	रुपये	आस्तियां	रुपये	रुपये
बैंकिंग विभाग में रखे हुए			सोने का सिक्का और बुलियन :—		
नोट	11,78,50,000		(क) भारत में रखा हुआ	182,53,11,000	
संचलन में नोट	41,71,88,10,000		(ख) भारत के बाहर रखा हुआ	..	
			विदेशी प्रतिभूतियां	273,42,00,000	
जारी किये गये कुल नोट		4183,66,60,000	जोड़		455,95,11,000
			रुपये का सिक्का		53,47,41,000
			भारत सरकार की रुपया प्रतिभूतियां		3674,24,08,000
			देशी विनिमय बिल और दूसरे		..
			वाणिज्यपत्र		..
कुल देयताएं		4183,66,60,000	कुल आस्तियां		4183,66,60,000

तारीख : 24 फरवरी, 1971

एस० गजब्रायन,

गवर्नर ।

[मं० फा० 3(3)-बी सी/71]

New Delhi, the 20th March 1971

S. O. 1470—Statement of the Affairs of the Reserve Bank of India, as on the 12th March 1971

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capita Paid Up	5,00,00,000	Notes	3,86,09,000
		Rupee Coin	2,64,000
Reserve Fund	150,00,00,000	Small Coin	4,70,000
		Bills Purchased and Discounted :—	
National Agricultural Credit (Long Term Operations) Fund	172,00,00,000	(a) Internal	3,37,14,000
		(b) External	..
		(c) Government Treasury Bills	16,06,49,000
National Agricultural Credit (Stabilization) Fund	37,00,00,000	Balances Held Abroad*	108,07,13,000
		Investments**	99,30,23,000
		Loans and Advances to :—	
National Industrial Credit (Long Term Operations) Fund	95,00,00,000	(i) Central Government	..
		(ii) State Governments@	262,67,66,000
		Loans and Advances to :—	
Deposits :—		(i) Scheduled Commercial Banks†	395,67,00,000
		(ii) State Co-operative Banks‡	290,71,17,000
(a) Government—		(iii) Others	4,78,72,000
(i) Central Government	400,47,81,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
(ii) State Governments	6,48,20,000		

LIABILITIES	Rs.	ASSETS	Rs.
(b) Banks		(a) Loans and Advances to :-	
(i) Scheduled Commercial Banks	190,55,93,000	(i) State Governments	34,12,82,000
(ii) Scheduled State Co-operative Banks	8,38,05,000	(ii) State Co-operative Banks	19,89,97,000
(iii) Non-Scheduled State Co-operative Banks	83,31,000	(iii) Central Land Mortgage Banks . . . . .	..
(iv) Other Banks	27,76,000	(b) Investment in Central Land Mortgage Bank Debentures	9,59,42,000
(c) Other	71,42,57,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund	
		Loans and Advances to State Co-operative Banks	4,35,95,000
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
Bills Payable	54,58,72,000	(a) Loans and Advances to the Development Bank	29,83,71,000
		(b) Investment in bonds/debentures issued by the Development Bank . . . . .	..
Other Liabilities	134,67,92,000	Other Assets	44,29,43,000
Rupees	1326,70,27,000	Rupees	1326,70,27,000

*Includes Cash, Fixed Deposits and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 232,94,00,000 advanced to scheduled commercial banks against usance bills under section 17/47(c) of the Reserve Bank of India Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Stabilisation) Fund.

17th day of March 1971.

S. JAGANNATHAN,
Governor.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 12th May of March 1971.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	3,86,09,000		Gold Coin and Bullion :—		
			(a) Held in India	182,53,11,000	
Notes in circulation	4284,56,42,000		(b) Held outside India . . . .	..
			Foreign Securities	263,42,00,000	
TOTAL NOTES ISSUED		4288,42,51,000	TOTAL		445,95,11,000
			Rupee Coin		48,75,34,000
			Government of India Rupee Securities		3793,72,06,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		4288,42,51,000	TOTAL ASSETS		4288,42,51,000

S. JAGANNATHAN
Governor.

Dated the 17th day of March 1971.

[No. F. 3(3)-BC/71.]
K. YESURATNAM, Under Secy.

CORRIGENDUM

In the statement of the Affairs of the Reserve Bank of India, Banking Department as on 22nd January, 1971 published at pages 756-57 of Part II, Section 3(ii) of the Gazette of India issue dated 13th February, 1971 the figure against the head "Deposits:—(a) Government:—(i) Central Government" on the assets side of the statement should be read as 279,94,46,000/- instead 379,94,46,000/-.

नई दिल्ली, 20 मार्च, 1971

एस० ओ० 1470.—12 मार्च, 1971 को रिज़र्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

देयताएं	रुपये	आस्तियां	रुपये
चुक्ता पूंजी	5,00,00,000	नोट	3,86,09,000
आरक्षित निधि	150,00,00,000	रुपये का सिक्का	2,64,000
राष्ट्रीय कृषि ऋण		छोटा सिक्का	4,70,000
(दीर्घकालीन क्रियाएं) निधि	172,00,00,000	खरीदे और भुनाये गये बिल —	
राष्ट्रीय कृषि ऋण		(क) देशी	3,37,14,000
(स्थिरीकरण) निधि	37,00,00,000	(ख) विदेशी . . . . .	..
राष्ट्रीय औद्योगिक ऋण		(ग) सरकारी खजाना बिल	16,06,49,000
(दीर्घकालीन क्रियाएं) निधि	95,00,00,000	विदेशों में रखा हुआ बकाया*	108,07,13,000
		निवेश**	99,30,23,000
जमा राशियां --			
(क) सरकारी		ऋण और अग्रिम:--	
(i) केन्द्रीय सरकार	400,47,81,000	(i) केन्द्रीय सरकार को . . . . .	..
(ii) राज्य सरकारें	6,48,20,000	(ii) राज्य सरकारों को †	262,67,66,000
		ऋण और अग्रिम	
(ख) बैंक		(i) अनुसूचित वाणिज्य बैंकों को @	395,67,00,000
(i) अनुसूचित वाणिज्य बैंक	190,55,93,000	(ii) राज्य सहकारी बैंकों को ₹	290,71,17,000
(ii) अनुसूचित राज्य		(iii) दूसरों को	4,78,72,000
सहकारी बैंक	8,38,05,000		

(iii) गैर अनुसूचित राज्य--				राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से	
सहकारी बैंक	.	.	83,31,000	ऋण, अग्रिम और निवेश	
(iv) अन्य बैंक	.	.	27,76,000	(क) ऋण और अग्रिम	
				(i) राज्य सरकारों को	34,12,82,000
				(ii) राज्य सहकारी बैंकों को	19,89,97,000
				(iii) केन्द्रीय भूमिबन्धक बैंकों को	..
(ग) अन्य	.	.	71,42,57,000	(ख) केन्द्रीय भूमिबन्धक बैंकों के डिबेंचरों में निवेश	9,59,42,000
देय बिल	.	.	54,58,72,000	राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और	
अन्य देयताएं	.	.	134,67,92,000	राज्य सहकारी बैंकों को ऋण और अग्रिम	4,35,95,000
				राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि	
				से ऋण, अग्रिम और निवेश	
				(क) विकास बैंक को ऋण और अग्रिम	29,83,71,000
				(ख) विकास बैंक द्वारा जारी किये गये बोंडों/डिबें-	
				चरों में निवेश	..
				अन्य आस्तियां	44,29,43,000
रुपये 1326,70,27,000				रुपये 1326,70,27,000	

*नकदी, आवधिक जमा और अल्पकालीन प्रतिभूतियां शामिल हैं।

**राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि में से किये गये निवेश शामिल नहीं हैं।

राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं, परन्तु राज्य सरकारों के अस्थायी ओवरड्राफ्ट शामिल हैं।

@रिजर्व बैंक ऑफ इंडिया अधिनियम की धारा 17(4) (ग) के प्रदान अनुसूचित वाणिज्य बैंकों को मोषादी बिलों पर अग्रिम दिया जाये 232,94,00,000/- रुपये शामिल हैं।

५ राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं।

एस० जगन्नाथन,
गवर्नर

तारीख 17 मार्च, 1971

रिज़र्व बैंक ऑफ़ इंडिया

रिज़र्व बैंक ऑफ़ इंडिया अधिनियम, 1934 के अनुसरण में मार्च, 1971 की 12 तारीख को समाप्त हुए सप्ताह के लिए लेखा
इशू विभाग

देयताएं	रुपये	रुपये	आस्तियां	रुपये	रुपये
बैंकिंग विभाग में रखे हुए			सोने का सिक्का और बुलियन --		
नोट	3,86,09,000		(क) भारत में रखा हुआ	182,53,11,000	
			(ख) भारत के बाहर रखा		
संचलन में नोट	4284,56,42,000		हुआ	..	
			विदेशी प्रतिभूतियां	263,42,00,000	
जारी किये गये कुल नोट		4288,42,51,000	जोड़		445,95,11,000
			रुपये का सिक्का		48,75,34,000
			भारत सरकार की रुपया प्रतिभूतियां		3793,72,06,000
			देशी विनिमय बिल और दूसरे		
			वाणिज्य-पत्र		..
कुल देयताएं		4288,42,51,000	कुल आस्तियां		4288,42,51,000

तारीख 17 मार्च, 1971

एस० जगन्नाथन,
गवर्नर ।

[सं० फ० 3(3)-बी सी/71]

के० यूसुरत्तम, अवर सचिव ।

(Department of Revenue and Insurance)

INCOME-TAX

New Delhi, the 22nd February 1971

S.O. 1471.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorise

- (1) Shri T. Girirajan
- (2) Shri S. Arul Bharathy
- (3) Shri S. Kulandaivelu
- (4) Shri A. B. Martin David and
- (5) Shri S. L. Narasimhan

who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act.

2. This Notification which supercedes Notification No. 36 (F. No. 16/94/69-ITCC), dated 1st May, 1969 and Notification No. 122 (F. No. 404/130/70-ITCC), dated 13th July, 1970, shall come into force on the 1st March, 1971.

[No. 50 (F. No. 404/46/71-ITCC.)]

R. D. SAXENA, Dy. Secy.

(राजस्व और बीमा विभाग)

आयकर

नई दिल्ली, 22 फरवरी, 1971

एस० नो० 1471—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खण्ड (iii) द्वारा पदत शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा

- (1) श्री टी० गिरिराजन
- (2) श्री एस० अरुल भारती
- (3) श्री एस० कुलन्दैवेलू
- (4) श्री ए० बी० मार्टिन डेविड और
- (5) श्री एस० एल० नारसिम्हम

को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, जो अधिसूचना सं० 36(फा० सं० 16/94/69-आई टी सी सी) तारीख 1.5.1969 और अधिसूचना सं० 122(फा० सं० 404/130/70-आई टी सी सी) तारीख 13-7-1970 को अधिकांश करती है, 1 मार्च, 1971 से प्रवृत्त होगी।

[सं० 50(फा० सं० 404/46/71-आई टी सी सी)]

आर० डी० सक्सेना, उप सचिव।

(Department of Revenue and Insurance)

New Delhi, the 16th March 1971

S.O. 1472.—In pursuance of paragraph (9) of the Scheme of War Risks Insurance of Marine Hulls, the Central Government hereby publishes, as follows, an account of the sums received into

and paid out of the War Risks (Marine Hulls) Re-insurance Fund during the year ending with the 31st March, 1970, namely:—

Account of the sums received into and paid out of the, War Risks (Marine Hulls) Re-insurance Fund, during the year ending with 31st March, 1970.

Receipts			Expenditure		
Amount	Progress of receipt up to the end of March 1970		Amount	Progress of Expenditure up to the end of March, 1970	
(1)	(2)	(3)	(4)	(5)	(6)
Rs.	Rs.		Rs.	Rs.	
1. Insurance Premium,	78,17,300	2,78,19,283·01	1. Administrative expenses of the Life Insurance Corporation of India.	24,620·00	49,997·84
2. Advance from Consolidated Fund of India under paragraph 8 (iii).	..	..	2. Payment of liabilities under the War Risks (Marine Hulls) Re-insurance Scheme under paragraph 8(ii) (showing details if necessary)	..	..
			3. Repayments of advances made under paragraph 8(ii).	..	..
			4. Miscellaneous Expenditure (showing details if necessary).		6,000·00
			5. Refunds of premium		
			6. Sums disposed of in accordance with paragraph 8 (iv)		
TOTAL	78,17,300·00	2,78,19,283·01		24,620·00	55,997·84

[No. (F. 52(6)-Ins. 1/70.)]

M. L. WADHAWAN, Dy. Secy.

(राजस्व बीमा तथा विभाग)

नई दिल्ली, 16 मार्च, 1971

क्र। सं. 1472.—समुद्री जहाजों की युद्ध जोखिम बीमा योजना के पैराग्राफ (9) के अनुसरण में, केन्द्रीय सरकार एतद्वारा 31 मार्च, 1970 को समाप्त होने वाले वर्ष के दौरान युद्ध जोखिम (समुद्री) जहाज पुनर्बीमा निधि में प्राप्त तथा उसमें से निकाली गई रकमों का लेखा नीचे लिखे अनुसार प्रकाशित करती है, अर्थात् :—

31 मार्च, 1970 को समाप्त होने वाले वर्ष के दौरान युद्ध जोखिम (समुद्री जहाज) पुनर्बीमा निधि में प्राप्त तथा उसमें से निकाली गई रकमों का लेखा ।

प्राप्तियां				व्यय	
	रकम	मार्च 1969 के अन्त तक जमा की स्थिति		रकम	मार्च 1970 के अन्त तक व्यय की स्थिति
(1)	(2)	(3)	(4)	(5)	(6)
1. बीमा किस्त	78,17,300	2,78,19,283.01	1. भारतीय जीवन बीमा निगम के प्रशासनिक खर्च	24,620.00	49.997.84
2. पैरा 8 (iii) के अन्तर्गत भारत की समेकित निधि से पेशगी	—	—	2. पैरा ग्राफ 8 (ii) के अन्तर्गत युद्ध जोखिम (समुद्री जहाज) पुनर्बीमा योजना के अधीन देनदारियों की अदा- यगी यदि आवश्यक हो तो व्यौरे दिए जायें)	—	—

(1)	(2)	(3)	(4)	(5)	6
			3. पैराग्राफ 8(ii) के अन्तर्गत पेशगियों की अदायगियां	--	—
			4. विविध व्यय (यदि आवश्यक हो तो व्यौरे दिए जाएं)	—	6,000.00
			5. किस्तों की वापसी	--	--
			6. पैराग्राफ 8 (iv) के अनुसार रकमों का निपटान	—	—
जोड़	78,17,300.00	2,78,19 283.01		24,620.00	55,997.84

[सं० का० 52(6)-बीमा-1/70]

एम० एल० बघावन, उप सचिव ।

(Department of Revenue and Insurance)

INCOME-TAX

New Delhi, the 20th March 1971

S.O. 1473.—It is hereby notified for general information that the institution mentioned below has been approved by the Council of Scientific and Industrial Research, the "prescribed authority", for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

Institution

The Family Planning Foundation, New Delhi.

[No. 86/F. No. 203/19/70-TA2.]

(राजस्व और बीमा विभाग)

आयकर

नई दिल्ली, 20 मार्च, 1971

एस० ओ० 1473.—एतद्वारा सर्वसाधारण की सूचना के लिए अधिसूचित किया जाता है कि नीचे वर्णित संस्था को वैज्ञानिक और औद्योगिक अनुसंधान परिषद द्वारा, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के प्रयोजनार्थ "विहित प्राधिकरण" अनुमोदित किया गया है।

संस्था

परिवार नियोजन प्रतिष्ठान, नई दिल्ली।

[सं० 86(फा० सं० 203/19/70-आई टी ए 2)]

S.O. 1474.—It is hereby notified for general information that the institution mentioned below has been approved by the Council of Scientific and Industrial Research, the prescribed authority, for the purposes of clause (iii) of sub-section (I) of Section 35 of the Income-tax Act, 1961 (43 of 1961):

Institution

Gokhale Institute of Politics and Economics, Poona.

[No. 87/F. No. 203/24/70-IT(AII).]

S. N. NAUTIAL, Dy. Secy.

एस०ओ० 1474.—सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि निम्नलिखित संस्था को वैज्ञानिक और औद्योगिक अनुसंधान परिषद द्वारा, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों के लिए "विहित प्राधिकरण" अनुमोदित किया गया है।

संस्था

गोखले राजनीति एवं अर्थशास्त्र संस्थान, पूना।

[सं० 87(फा० सं० 203/24/70-आई टी (ए 2))]

[एस० एन० नौटियाल, उप सचिव।

(Department of Revenue and Insurance)

CUSTOMS

New Delhi, the 3rd April 1971

S.O. 1475.—In exercise of the powers conferred by clause (a) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Government hereby appoints

the port of Neendakara in the State of Kerala to be a customs port only for the loading of Ilmenite for export.

[No. 27/F. No. 14/5/70-LCH.]

राजस्व और बीमा विभाग

सीमाशुल्क

नई दिल्ली, 3 अप्रैल, 1971

का० प्रा० 1475.—सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 7 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा केरल राज्य में नन्दिकरा पत्तन को निर्यात के लिए केरल एलोनार्ड के लदान के लिए सीमा शुल्क पत्तन नियत करती है।

[सं० 27 फा० सं० 14/5/70—एल० सी० आई० आई०]

STAMPS.

New Delhi, the 3rd April 1971

S.O. 1476.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the Maharashtra State Financial Corporation to pay stamp duty, chargeable on the 6 per cent Maharashtra State Financial Corporation Bonds-1981 to the value of two hundred and seventy-five lakhs of rupees, at the consolidated rate of seventy-five paise per cent.

[No. 6/71-Stamp/F. No. 1/44/70-Cus.VII.]

स्टाम्प

नई दिल्ली, 3 अप्रैल, 1971

एस० ओ० 1476.—भारतीय स्टाम्प, अधिनियम, 1899 (1899 का 2) की धारा 9 का उपधारा (1) के खण्ड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा दो सौ पचहत्तर लाख रुपए मूल्य के 6% महाराष्ट्र राज्य वित्तीय निगम बन्ध पत्र 1981 पर प्रभावी स्टाम्प शुल्क पचहत्तर पैसे प्रतिशत की सम्बन्धित दर पर संदत्त करने की अनुज्ञा महाराष्ट्र राज्य वित्तीय निगम को देती है।

[संख्या 6/71-स्टाम्प/का० सं० 1/44/70-सी० शु० 7]

ORDER

STAMPS

New Delhi, the 3rd April 1971

S.O. 1477.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the promissory notes, mentioned in column (2) of the Table below issued by the authority specified therein up to the value mentioned in the corresponding entries in column (3) thereof, are chargeable under the said Act —

TABLE

S. No.	Promissory notes issued by authority.	Value.
1.	6 % Madras State Electricity Board Loan 1980	Rupees three crores, two lakhs, and fifty thousands.
2.	6 % Madras State Electricity Board Loan 1980 (II Series).	Rupees four crores and forty lakhs
3.	6 % Tamil Nadu Electricity Board Loan 1981.	Rupees six crores and sixty lakhs
4.	6 % Tamil Nadu Electricity Board Loan 1982.	Rupees six crores and sixty lakhs.

[No. 5/71-Stamp/F. No. 1/5/70-Cus. VII.]
K. SANKARARAMAN, Under Secy.

आवेश

नई दिल्ली, 3 अप्रैल, 1971

एस० नो० 1477.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उस शुल्क से जिसके द्वारा नीचे की सारणी के स्तम्भ (2) में वर्णित वचनपत्र, जो उस में विनिर्दिष्ट प्राधिकारी द्वारा, उसके स्तम्भ (3) में की तत्समाप्ती प्रविष्टियों में वर्णित मूल्य तक जारी किए गए हैं, उक्त अधिनियम के अधीन प्रभाय हैं, छूट देती है।

सारणी

क्र म सं०	प्राधिकारी द्वारा जारी किए गए वचनपत्र	मूल्य
(1)	(2)	(3)
1	60% मद्रास स्टेट इन्वेस्ट्मिन्ट बोर्ड लोन 1980	तीन करोड़, दो लाख और पचास हजार रुपये।
2	60% मद्रास स्टेट इन्वेस्ट्मिन्ट बोर्ड लोन 1980	चार करोड़ और चालीस लाख रुपये। (11 पुरोधरण)
3	60% तामिल नाडु इन्वेस्ट्मिन्ट बोर्ड लोन 1981	छ करोड़ और साठ लाख रुपये।
4	60% तामिल नाडु इन्वेस्ट्मिन्ट बोर्ड लोन 1982	छ करोड़ और साठ लाख रुपये।

[संख्या 5/71-स्टाम्प/का० नं० 1/44/70-सी० शु० 7]

के० शंकररामन्, अवर सचिव।

CENTRAL BOARD OF DIRECT TAXES

INCOME-Tax

New Delhi, the 21st January 1971

S.O. 1478.—In partial modification of Notification No. 88, dated 29th May, 1970 and in exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby directs that there will be two Additional Commissioners of Income-tax (Recovery) for each of the charges of Bombay and Calcutta and they will be designated as Additional Commissioner of Income-tax (Recovery I) and Additional Commissioner of Income-tax (Recovery II). The Additional Commissioner of Income-tax (Recovery I) will have jurisdiction over the ranges pertaining to Commissioners charges of City-I and II and the Additional Commissioner of Income-tax (Recovery II) will have jurisdiction over the ranges pertaining to Commissioners charges of City III and Central.

[No. 9 (F. No. 187/2/71-IT(AI).]

B. MADHAVAN, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

आयकर

नई दिल्ली, 21 जनवरी, 1971

एस० ओ० 1478.—अधिसूचना सं० 86 तारीख 28-5-70 को आंशिक रूप से उपान्तरित और आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि मुंबई और कलकत्ता के प्रत्येक भारसाधन के लिए दो अपर आयकर आयुक्त (वसूली) होंगे और अपर आयकर आयुक्त (वसूली I) और अपर आयकर आयुक्त (वसूली II) के रूप में पदाभिहित किए जायेंगे। अपर आयकर आयुक्त (वसूली I) की अधिकारिता आयुक्त भारसाधन सिटी—I और II से सम्बन्धित रेंजों पर होगी और अपर आयकर आयुक्त (वसूली II) की अधिकारिता, आयुक्त भारसाधन सिटी III और केन्द्रीय से सम्बन्धित रेंजों पर होगी।

[सं० 9(फा० सं० 187/2/71-आई टी (ए० I)]

बी० माधवन, अवर सचिव।

INCOME-TAX

New Delhi, the 20th March 1971

S.O. 1479.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961, the Central Board of Direct Taxes hereby makes the following amendment in the Schedule appended to its Notification No. 199 (F. No. 261/9/70-ITJ), dated 24th December 1970, namely:

In the said Schedule against Dibrugarh Range II, the following shall be added under column 2:—

5. Central Circle, Dibrugarh.

This notification shall take effect from 8th February, 1971.

Explanatory Note:

The amendment became necessary on account of the creation of a new circle known as Central Circle, Dibrugarh.

(The above note does not form part of the notification, but is intended to be merely clarificatory).

[No. 25 (F. No. 261/3/71-ITJ.)]

आयकर

नई दिल्ली, 20 मार्च, 1971

एस० ओ० 1479.—आयकर अधिनियम 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा अपनी अधिसूचना सं० 199(फा० सं० 261/9/70-आई० टी० सी०) तारीख 24-12-1970 से संलग्न अनुसूची में निम्न संशोधन करता है, अर्थात् :—

उक्त अनुसूची में डिब्रुगढ़ रेंज II के सामने स्तम्भ 2 में निम्नलिखित जोड़ दिया जायगा :—

5. केन्द्रीय सर्किल, डिब्रुगढ़।

यह अधिसूचना 8 फरवरी, 1971 से प्रभावी होगी।

स्पष्टीकारक टिप्पण

यह संशोधन नए सकल, जो कि केन्द्रीय सकल के नाम से ज्ञात है, के बनाए जाने के कारण आवश्यक हो गया है।

(उपर्युक्त टिप्पण अधिसूचना का भाग नहीं है, परन्तु केवल स्पष्टीकरण के लिए आशयित है)

[सं० 25(फ० सं० 261/3/71-आई टी जे)]

S.O. 1480.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling it in that behalf and in supersession of the previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in Col. 1 of the Schedule below shall perform their functions in respect of all persons and income assessed to Income-tax and super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:—

SCHEDULE

Ranges	Income-tax Circles, Wards and Districts.
(1)	(2)
Nagpur Range, Nagpur.	<ol style="list-style-type: none"> 1. I.T.O., A-Ward, Nagpur. 2. I.T.O., B-Ward, Nagpur. 3. I.T.O., C-Ward, Nagpur. 4. I.T.O., D-Ward, Nagpur. 5. I.T.O., E-Ward, Nagpur. 6. I.T.O., F-Ward, Nagpur. 7. I.T.O., G-Ward, Nagpur. 8. I.T.O., H-Ward, Nagpur. 9. Special Survey Circle, Nagpur. 10. City Circle & Refunds, Nagpur. 11. Refund Circle, Nagpur. 12. City Circle, Nagpur. 13. Spl. E. D. Cum I.T. Circles, Nagpur. 14. Salary Circles Nagpur:— <ol style="list-style-type: none"> (a) 1st I.T.O., Salary Circle, Nagpur. (b) 2nd I.T.O., Salary Circle, Nagpur. (c) 3rd I.T.O., Salary Circle, Nagpur. (d) 2nd I.T.O., Salary Circle & Refunds, Nagpur. 15. I.T.O., Administration, Nagpur. 16. I.T.O., Collection, Nagpur. 17. I.T.O., Assessment I, Nagpur. 18. Do. II, Nagpur. 19. Do. III, Nagpur. 20. Do. IV, Nagpur. 21. Do. V, Nagpur. 22. Do. VI, Nagpur. 23. Do. VII, Nagpur. 24. Do. VIII, Nagpur. 25. Do. IX, Nagpur. 26. Do. X, Nagpur. 27. Do. XI, Nagpur. 28. Do. XII, Nagpur. 29. Do. XIII, Nagpur. 30. Do. XIV, Nagpur.
Akola Range, Akola.	<ol style="list-style-type: none"> 1. I.T.O., A-Ward, Akola. 2. I.T.O., B-Ward, Akola. 3. I.T.O., C-Ward, Akola.] 4. I.T.O., D-Ward, Akola. 5. I.T.O., Central Circle, Akola. 6. I.T.O., Special Inv. Circle, Akola. 7. I.T.O., Yeotmal. 8. I.T.O., A-Ward, Gondia.

9. I.T.O., B-Ward, Gondia.
10. I.T.O., A-Ward, Wardha.
11. I.T.O., B-Ward, Wardha.
12. I.T.O., A-Ward, Chandrapur.
13. I.T.O., B-Ward, Chandrapur.
14. I.T.O., Khamgaon.

Aurangabad Range.

1. I.T.O., A-Ward, Aurangabad.
2. I.T.O., B-Ward, Do.
3. I.T.O., C-Ward, Do.
4. I.T.O., D-Ward, Do.
5. I.T.O. E-Ward, Do.
6. I.T.O., A-Ward, Nanded.
7. I.T.O., B-Ward, Nanded.
8. I.T.O., C-Ward, Nanded.
9. I.T.O., Latur.
10. I.T.O., A-Ward, Amravati.
11. I.T.O., B-Ward, Amravati.
12. I.T.O., C-Ward, Amravati.
13. I.T.O., D-Ward, Amravati.
14. I.T.O., E-Ward, Amravati.

Where an Income-tax Circle Ward, or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Income-tax, of the Range from whom that income-tax circle, ward or district or part thereof is transferred shall from the date this notification takes effect, be transferred to and dealt with by the Appellate Assistant Commissioner of Income-tax of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 1-2-1971.

Explanatory Note]

The amendment has become necessary on account of abolition of one Appellate Assistant Commissioner's of Income-tax post in the Commissioner charge.

(This note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 43 (F. No. 261/6/70-IT)]

P. K. SHARMA, Under Secy.

एस० ओ० 1480—आय कर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्वतन अधिसूचनाओं को अधिकांत करते हुए, केन्द्रीय प्रत्यक्षकर बोर्ड एतद्द्वारा निदेश देता है कि नीचे की अनुसूची के स्तम्भ 1 में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उसके स्तम्भ 2 में तत्स्थानी प्रविष्टि में विनिर्दिष्ट आयकर सफिलों, वार्डों और जिलों में आयकर या अधिकार से निर्धारित सभी व्यक्तियों और आयों के बारे में अपने कृत्यों का पालन करेंगे :—

अनुसूची

रेंज	आयकर सफिल, वार्ड और जिले
1	2
नागपुर रेंज, नागपुर	1. आयकर अधिकारी, क—वार्ड, नागपुर । 2. आयकर अधिकारी, ख—वार्ड, नागपुर ।

3. आयकर अधिकारी, ग—वार्ड, नागपुर ।
4. आयकर अधिकारी, घ—वार्ड, नागपुर ।
5. आयकर अधिकारी, ङ—वार्ड, नागपुर ।
6. आयकर अधिकारी, च—वार्ड, नागपुर ।
7. आयकर अधिकारी, छ—वार्ड, नागपुर ।
8. आयकर अधिकारी, ज—वार्ड, नागपुर ।
9. विशेष, सर्वेक्षण सर्किल, नागपुर ।
10. सिटी सर्किल और प्रतिदाय, नागपुर ।
11. प्रतिदाय सर्किल, नागपुर ।
12. सिटी सर्किल, नागपुर ।
13. विशेष ई० डी० और आई० टी० सर्किल, नागपुर ।
14. वेतन सर्किल नागपुर :—
 - (क) प्रथम आयकर अधिकारी, वेतन सर्किल, नागपुर ।
 - (ख) द्वितीय आयकर अधिकारी, वेतन सर्किल, नागपुर ।
 - (ग) तृतीय आयकर अधिकारी, वेतन सर्किल, नागपुर ।
 - (घ) चतुर्थ आयकर अधिकारी, वेतन सर्किल और प्रतिदाय, नागपुर ।
15. आयकर अधिकारी, प्रशासन, नागपुर ।
16. आयकर अधिकारी, संग्रहण, नागपुर ।
17. आयकर अधिकारी, निर्धारण —I, नागपुर ।
18. यथोक्त II, नागपुर ।
19. यथोक्त III, नागपुर ।
20. यथोक्त IV, नागपुर ।
21. यथोक्त V, नागपुर ।
22. यथोक्त VI, नागपुर ।
23. यथोक्त VII, नागपुर ।
24. यथोक्त VIII, नागपुर ।
25. यथोक्त IX, नागपुर ।
26. यथोक्त X, नागपुर ।
27. यथोक्त XI, नागपुर ।
28. यथोक्त XII, नागपुर ।
29. यथोक्त XIII, नागपुर ।
30. यथोक्त XIV, नागपुर ।

अकोला रेंज, अकोला ।

1. आयकर अधिकारी, क—वार्ड, अकोला ।
2. आयकर अधिकारी, ख—वार्ड, अकोला ।
3. आयकर अधिकारी, ग—वार्ड, अकोला ।
4. आयकर अधिकारी, घ—वार्ड, अकोला ।
5. आयकर अधिकारी, केन्द्रीय सफिल, अकोला ।
6. आयकर अधिकारी, विशेष अन्य सफिल, अकोला ।
7. आयकर अधिकारी, योतमाल ।
8. आयकर अधिकारी, क—वार्ड, गोडिया ।
9. आयकर अधिकारी, ख—वार्ड, गोडिया ।
10. आयकर अधिकारी, क—वार्ड, वर्धा ।
11. आयकर अधिकारी, ख—वार्ड, वर्धा ।
12. आयकर अधिकारी, घ—वार्ड, चन्द्रपुर ।
13. आयकर अधिकारी, ख—वार्ड, चन्द्रपुर ।
14. आयकर अधिकारी, खामगांव ।

ओरंगाबाद रेंज ।

1. आयकर अधिकारी, क—वार्ड, ओरंगाबाद ।
2. आयकर अधिकारी, ख—वार्ड, यथोक्त ।
3. आयकर अधिकारी, ग—वार्ड, यथोक्त ।
4. आयकर अधिकारी, घ—वार्ड, यथोक्त ।
5. आयकर अधिकारी, ङ—वार्ड, यथोक्त ।
6. आयकर अधिकारी, च—वार्ड, ननदेड ।
7. आयकर अधिकारी, छ—वार्ड, ननदेड ।
8. आयकर अधिकारी, ज—वार्ड, ननदेड ।
9. आयकर अधिकारी, लहूर ।
10. आयकर अधिकारी, क—वार्ड, अमरावती ।
11. आयकर अधिकारी, ख—वार्ड, यथोक्त ।
12. आयकर अधिकारी, ग—वार्ड, यथोक्त ।
13. आयकर अधिकारी, घ—वार्ड, यथोक्त ।
14. आयकर अधिकारी, ङ—वार्ड, अमरावती ।

जहां इस अधिसूचना द्वारा कोई आय—कर सफिल, वार्ड या जिला या उसका कोई भाग एक रेंज से दूसरी रेंज को आंतरिक हो गया हो वहां उस आयकर सफिल वार्ड या जिले या उसके किसी भाग में किए गए निर्धारणों के परिणामस्वरूप की गई अपीलें जो इस अधिसूचना की तारीख से ठीक पहले उस रेंज के, जिससे वह आयकर सफिल, वार्ड या जिला या उसका कोई भाग अन्तर्गत कर दिया गया है, सहायक आयुक्त (अपील) के समक्ष लम्बित थी, इस अधिसूचना के प्रभावी होने की तारीख से उस रेंज के जिसको उक्त सफिल, वार्ड या जिला या उसका कोई भाग अन्तर्गत कर दिया गया है, सहायक आयुक्त (अपील) को अन्तर्गत कर दी जायेंगी जो उनके संबंध में कार्यवाही करेगा ।

यह अधिसूचना 1 फरवरी, 1971 से प्रभावी होगी ।

स्पष्टीकरण टिप्पण

आयुक्त के चार्ज में एक सहायक असोली आयकर आयुक्त के पद के उत्पादन के कारण यह संशोधन आवश्यक हो गया है।

(यह टिप्पण अधिसूचना का भाग नहीं है किन्तु केवल स्पष्टीकरण के लिए आशयित है।)

[सं० 43(फा०सं० 261/६/70-आई० टी० जे०)]

(पी० के० शरण अवर सचिव।)

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 22nd March 1971

S.O. 1481.—Whereas an industrial dispute exists between the management of Ranipur Colliery of Messrs. Equitable Coal Company Limited, Post Office Saltore, District Purulia and their Workmen represented by Colliery Mazdoor Congress (Independent), Asansol;

And whereas the said employers and workmen have by a written agreement in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration of the person specified therein, and a copy of the said agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

AGREEMENT

(UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947)

BETWEEN

NAME OF THE PARTIES:

Representing the employers:

Shri R. K. Sinha Roy,
Labour Officer,
M/s. Equitable Coal Co. Ltd.,
P.O. Dishergarh, Dist. Burdwan.

Representing the workmen:

Shri Jagdish Pandey,
General Secretary, Colliery Mazdoor
Congress (IND),
Goral Mansion, G.T. Road, Asansol.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri A. K. Mitra, Asstt. Labour Commissioner (Central), Dhanbad.

(i) Specific matters in dispute.

"Keeping in view the duties performed by the following workmen, whether the pay fixation of these workmen as made by the management of Ranipur Colliery of M/s. Equitable Coal Co. Ltd., P.O. Saltore, Distt. Purulia in terms of the recommendations of the Central Wage Board for the Coal Mining Industry as accepted by the Govt. of India, in their Resolution No. WB.61(5)/66 dated 21st July, 1967 is in order? If not, to what relief are these workmen entitled and from what date?"

Sl. No.	Name	Designation
1.	Shri Lakhiram Bouri	Machine Mazdoor-cum-Driller
2.	Shri Baldeb Mondal	Do.
3.	Shri Jitoo Turi	Do.
4.	Shri Chuli Harijan	Do.
5.	Shri Dohari Robidas,	Do.
6.	Shri Deekishan	Do.
7.	Shri Ramanuj	Do.
8.	Shri Kali Bouri	Pump Khalasi.
9.	Shri Abhoy Pada Roy	Do.
10.	Shri Naran Pal	Do.
11.	Shri Nayak	S. P. Mazdoor-cum-Chowkidar.
12.	Shri Jadu Ram	On setter.

- (ii) Details of the parties to dispute including the name & address of the establishment or undertaking involved. Employers in relation to Ranipur Colliery of M/s. Equitable Coal Co. Ltd., P.O. Sal-tore, Dist. Purulia.
- (iii) Name of the union, if any, representing the workmen in question. Colliery Mazdoor Congress (Ind.), Gorai Mansion, G. T. Road, Asansol.
- (iv) Total No. of workmen employed in the under Apprx. 1800. taking affected.
- (v) Estimated No. of workmen affected or likely to be affected by the dispute. 12 (Twelve).

We further agree that the majority decisions of the Arbitrator shall be binding on us.

The arbitrator shall make his award within a period of six months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties.

(Sd.) R. K. SINHA ROY,
Representing the employers.
(Sd.) JAGDISH PANDEY,
Representing the workmen.

Witnesses:

1. (Sd.) Illegible.
2. (Sd.) Illegible.

Dated, Asansol, the 26th February, 1971.

[No. L/1913/4/71-LRII.]
KARNAIL SINGH, Under Secy.

श्रम रोगागार और पुनर्वासि मंत्रालय

(श्रम और रोगागार मंत्रालय)

नई दिल्ली, 22 मार्च, 1971

का० प्रा० 1481.—यतः मैसर्स इक्विटेबल कोल कम्पनी लिमिटेड, डाकघर साटोर, जिला पुरलिया की रानीपुर कोलियरी के प्रबन्धतन्त्र और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व कोलियरी मजदूर कांग्रेस (आई० एन० डी०), आसनसोल करती है, एक औद्योगिक विवाद विद्यमान है;

और यतः उक्त नियोजनों और कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा

उक्त विवाद को उसमें वर्णित व्यक्ति के माध्यस्थ के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थ करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उप-धारा (3) के उपबन्धों के अनुसरण में केन्द्रीय सरकार उक्त माध्यस्थ करार को एतद्वारा प्रकाशित करती है ।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नाम :

निरोहों का प्रतिनिधित्व करने वाले : श्री आर० के० सिन्हा राय, श्रम अधिकारी, मैसर्स ईक्विटेबल कोल कम्पनी, लि० डाकघर दिशोरगढ़, जिला बर्धवान ।

कर्मकारों का प्रतिनिधित्व करने वाले : श्री जगदीश पांडे, महा सचिव, कोलियरी मजदूर कांग्रेस (आई० एन० डी०), गोराय मेशन, जी० टी० रोड, आसनसोल ।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को एतद्वारा श्री ए० के० मित्रा, सहायक श्रमायुक्त (केन्द्रीय), धनबाद के माध्यस्थ के लिए निर्देशित करने का करार किया गया है ।

(1) विनिर्दिष्ट विवाद ग्रस्त विषय :

“क्या निम्नलिखित कर्मकारों द्वारा किए जाने वाले कार्यों को ध्यान में रखते हुए, मैसर्स ईक्विटेबल कोल कम्पनी लिमिटेड, डाकघर साल्टोर, जिला पुर्खलिया की रानीपुर कोलियरी के प्रबन्ध तन्त्र द्वारा कोयला खनन उद्योग सम्बन्धी केन्द्रीय मजदूरी बोर्ड की सिफारिशों के अनुसार, जो भारत सरकार द्वारा संकल्प संख्या डब्ल्यू० बी० 16(5)/66, तारीख 21-7-1967 में स्वीकार की गई है, इन कर्मकारों का वेतन निर्धारण सही है । यदि नहीं, तो ये कर्मकार किस अनुतोष के और किस तारीख से हकदार हैं ?”

क्रमांक	नाम	पदनाम
1	श्री लखीराम बोरी	मशीन मजदूर एवं ड्रिलर
2	श्री बलदेव मंडल	—यथोपरि—
3	श्री जीतो तुरी	—यथोपरि—
4	श्री चूली हरिजन	—यथोपरि—
5	श्री डोहारी रोहिदास	—यथोपरि—
6	श्री देवकिशन	—यथोपरि—
7	श्री रामानुज	—यथोपरि—

क्रमांक	नाम	पदनाम
8	श्री काली बोरी	पम्प खलासी
9	श्री अभोय पांडा राय	—यथोपरि—
10	श्री नारन पाल	—यथोपरि—
11	श्री नायक	एस० पी० मजदूर एवं चौकीदार
12	श्री जादु राम	ग्रानसैटर

- (2) विवाद के पक्षकारों का विवरण, जिसमें मैसेर्स इक्विटीटैबल कोल कम्पनी लिमिटेड, डाकघर अंतर्बलित स्थापना या उपक्रम का नाम और साल्टोर, जिला पुसलिया की रानीपुर कोलियरी से सम्बद्ध नियोजक ।
- (3) यदि कोई संघ प्रश्नगत कर्मकारों का प्रतिनिधित्व करता हो तो उसका नाम । कोलियरी मजदूर कांग्रेस (आई० एन० डी०), गोराय मेशन, जी० टी० रोड, आसनसोल ।
- (4) प्रभावित उपक्रम में नियोजित कर्मकारों की लगभग 1800 कुल संख्या
- (5) विवाद द्वारा प्रभावित या सम्भाव्यतः 12 (बारह) प्रभावित होने वाले कर्मकारों की प्राक्कलित संख्या ।

हम यह करार भी करते हैं कि मध्यस्थ के बहुमत विनिश्चय हम पर बाध्य कर होंगे ।

मध्यस्थ अपना पंचाट छः मास की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाय, देगा । यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थ के लिए निदेश स्वतः रह ही जायेगा और हम नए माध्यस्थ के लिए बातचीत करने को स्वतन्त्र होंगे ।

पक्षकारों के हस्ताक्षर

ह०/- आर० के० सिन्हा राय ।

26-2-71

नियोजका का प्रतिनिधित्व करने वाले ।

ह०/- जगदीश पांडे,

26-2-71

कर्मकारों का प्रतिनिधित्व करने वाले

साक्षी

1. ह०/-

2. ह०/-

तारीख आसनसोल, 26 फरवरी, 1971

[संख्या एल० 913(4)/71-एल० आर० 2]

करनैल सिंह, अवर सचिव ।